# NEW YORK STATE LIQUOR AUTHORITY

# THIS IS AN APPLICATION FOR ALCOHOLIC BEVERAGE RETAIL LICENSE

1.) APPLICANT NAME STARJEM LLC  TRADE NAME (D/B/A) FRESCO ON THE GO  40 East 52nd Street  City, Town or Village New York  Between what streets Park and Madison Avenues  Premises Post Office Address (if different from above)  2.) ATTORNEY/REPRESENTATIVE NAME ROBERT V. FERRARI  Office Address 300 East 42nd Street  City, Town or Village New York ZIP 1001:  Telephone No. (212) 972-7040  4.) TOTAL PAYMENT DUE  Date filed: 871 98 1998  County Code #  STATE LIQUOR AUTHORITY action: STATE LIQUOR AUTHORITY EILE ROOM COMMENT OF THE ROBERT V. FERRARI  Assigned To:  NEW NLIE REPROSERVATION: SERIAL NUMBER: CLASS COUNTY: SERIAL NO: S		
TRADE NAME (D/B/A) FRESCO ON THE GO  Premises Street Address 40 East 52nd Street  City, Town or Village New York  Between what streets Park and Madison Avenues  Premises Post Office Address (if different from above)  2.) ATTORNEY/REPRESENTATIVE NAME ROBERT V. FERRARI  Office Address 300 East 42nd Street  City, Town or Village New York ZIP 1001:  Telephone No. (212) 972-7040  Alcoholic Beverage License Class: on premises liquot  A) TOTAL PAYMENT DUE  REPRESENTATIVE NAME ROBERT V. FERRARI  Office Address 300 East 42nd Street  City, Town or Village New York ZIP 1001:  Telephone No. (212) 972-7040  Alcoholic Beverage License Class: on premises liquot  SEP 0 8 1998  SEP 0 8 1998  STATE LIQUOR AUTHORITY action: STATE LIQUOR AUTHORITY PILE ROOM COMPANY  SERIAL NUMBER: OF DEPLY OF TRANSFER CLASS  Members of the Authority CLASS  Members of the Authority CLASS  COUNTY COLDING COLD TO TRANSFER CLASS  Members of the Authority CLASS  Members of the Authority CLASS  Members of the Authority CLASS		į
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Premises Street Address  City, Town or Village  County  New York  Between what streets  Premises Post Office Address (if different from above)  2.) ATTORNEY/REPRESENTATIVE NAME  Office Address  City, Town or Village  Telephone No.  1001  Total Payment Due  Date filed: 8 10 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		
City, Town or Village    New York		
County New York  Between what streets Park and Madison Avenues  Premises Post Office Address (if different from above)  2.) ATTORNEY/REPRESENTATIVE NAME ROBERT V. FERRARI  Office Address 300 East 42nd Street  City, Town or Village New York ZIP 1001:  Telephone No. (212) 972-7040  4.) TOTAL PAYMENT DUE  Date filed: Sall 98 Post 8 1998  County Code #  STATE LIQUOR AUTHORITY action: STATE LIQUOR AUTHORITY RILE ROOM EM. NEW YORK, NY  SERIAL NUMBER: Approval  Assigned To:  NEW NLIE NEMPORY OF SERIAL NO:		
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Premises Post Office Address (if different from above)  2.) ATTORNEY/REPRESENTATIVE NAME ROBERT V. FERRARI  Office Address 300 East 42nd Street  City, Town or Village New York ZIP 1001: Telephone No. (212) 972-7040  1000 X  3.) Alcoholic Beverage License Class: on premises liquot 214  4.) TOTAL PAYMENT DUE  Date filed: PAYMENT DUE  SEP 0 8 1998  County Code #  STATE LIQUOR AUTHORITY action: STATE LIQUOR AUTHORITY FILE ROOM PREMYORK, NY  SERIAL NUMBER: ON STATE LIQUOR AUTHORITY Approval  NEW YORK, NY  SERIAL NUMBER: CLASS  Members of the Authority COLASS  Members of the Authority SERIAL NO:	Tel. No. None	e yet
2.) ATTORNEY/REPRESENTATIVE NAME ROBERT V. FERRARI  Office Address 300 East 42nd Street  City, Town or Village New York (212) 972-7040  Telephone No. (212) 972-7040  Alcoholic Beverage License Class: on premises liquids (212) 972-7040  TOTAL PAYMENT DUE RECEIVEDE ONLY  SEP 0 8 1998  County Code #  STATE LIQUOR AUTHORITY action: STATE LIQUOR AUTHORITY FILE ROOM EMPTORITY FILE ROOM EMPTORITY SERIAL NUMBER: ONLY  Assigned To:  NEWNLIE		
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Office Address  City, Town or Village  New York  Telephone No. (212) 972-7040  3.) Alcoholic Beverage License Class:  On premises liquot  Alcoholic Beverage License Class:  On premises liquot  Franking Only  SEP 0 8 1998  County Code #  STATE LIQUOR AUTHORITY action:  SERIAL NUMBER:  NEW NLIE  Members of the Authority  SERIAL NO:		
City, Town or Village  Telephone No. (212) 972-7040    1001   1000   100		
Telephone No. (212) 972-7040    1000	7	
Assigned To:  Alcoholic Beverage License Class:  on premises liquor  on premises liquor  On premises liquor  RECETIVE DE ONLY  SEP 0 8 1998  STATE LIQUOR AUTHORITY action:  STATE LIQUOR AUTHORITY action:  SERIAL NUMBER:  NEWNUMBER:  Members of the Authority  CLASS  Members of the Authority  SERIAL NO:		
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Date filed: 8 21 98 W SEP 0 8 1998  County Code # STATE LIQUOR AUTHORITY action: STATE LIQUOR AUTHORITY Approval NEW YORK, NY  SERIAL NUMBER: OF TRANSFER CLASS  Members of the Authority  COUNTY: SERIAL NO:	<u> </u>	
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Assigned To:  NEWNLIE		
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NEWNLIE CLAS  Members of the Authority  COUNTY:  MEMORY SERIAL NO:		
Members of the Authority		
Members of the Authority	SS CHANG	E
ZONE: COUNTY: SERIAL NO:	CLASS:	•
	_ CLASS: AUDITED BY	
DEPOSIT DATE: SLIP NO: FEE:	Separate	· ·
Walnut Asselled	//	•

### **EXCISE BOND UNDERWRITERS**

100 WILLIAM STREET • NEW YORK, N.Y. 10038

Band Form L-9 Prescribed by New York State Liquor Authority November 1963

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

LIQUOR

**BOND EXPIRES IN** 

BOND NUMBER

001--17

STARJEM LLC

X-312868--00

2001

Penal Sum of Bond

KNOW ALL MEN BY THESE PRESENTS, that we,

1,000.00 Plus Costs

Name of Applicant

Address of Place of Business

40 EAST 52ND STREET

NEW YORK

NY 10022

In the county of NEW YORK

State of NEW YORK as Principal, and

having an office and usual place of business at

INSURANCE CO. OF NORTH AMERICA

195 BROADWAY

NEW YORK

NY 10007

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above boundern principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalities which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 20th day of August,

1998

STARJEM LLC

L.S.

INSURANCE CO. OF NORTH AMERICA

вү: *//////* 

**↑** 

APPLICANT MUST SIGN HERE

Attorney-in-fact

#### CONDITIONS

- 1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
- 2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
- 3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
- 4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
- 5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
- 6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
- 7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

Name of the	applicant
Stavien	LLC

Intak	e Proc	esso	or R	. Mackey
Date_	8	$\mathcal{U}$	98	

## INSTRUCTIONS FOR SUBMITTING APPLICATIONS-CHECK LIST

<u>/</u> l.	Personal check or money order made payable to NY State  Liquor Authority for license fee due at filing \$ plus filing fee
<u>√</u> 2.	Application completely filled out (Class and code of license.  Total fee due, etc.)
,	Penal bond (\$1000) <u>SIGNED</u> by applicant EXPIRING year from date of issuance.
<u>√</u> 4.	NY SLA fingerprint form filled out completely for each applicant with a \$50.00 check/money order payable to NY SLA. Must be taken by a law enforcement agency (Police Dept., Sheriff, etc.) Indicate precinct and badge number of officer taking prints.
<u>√</u> 5.	Interior and exterior photos showing a full view of the rooms, size 5x7. Grocery stores should reflect the amount of groceries they have. Exterior photos should reflect a full view of the front of the premises. Med where we letter
$\frac{\checkmark}{\checkmark}$ 6.	Personal Questionnaire for all applicant principals (stockholders, Etc.) each lender or donor.
X 7. U/98	Proof of citizenship: Original proof of citizenship must be submitted. An attorney's affidavit form may be completed in lieu of the original. (Copies of US birth certificates and passports are acceptable.)  M. W. Weller C. All transfer of ownership must submit a contract of sale or
	All transfer of ownership must submit a contract of sale or conveyance. (Temporary permits: Two copies of the contract and 2 sets of photos plus application fee.)
<u>√</u> 9.	Management/Operating Agreement for LLC and LLP applicants.
_10.	Copy of current license of premises.

(over)

<u>√</u> 11.	Affidavit.	# 4 mg
12.	Holding Corporation Stipulation. (Green or Pink)	
13.	Transfers only: Liquidator Permit Application and \$25.00. (Separate check or money order)	
_14.	Groceries only: Inventory stipulation form	
$N_{15}$ .	List of expenses for this venture.	
	plicants, except grocery and drug store beer, must submit the onal items shown below.	. 6
^/	Diagram, 8.5 x 11 - Interior and front elevation.	
$\frac{\overline{\checkmark}_{17.}}{/}$	Certificate of Occupancy or acceptable document from the ago your city, town or village that regulates building occupancy an	
$\sqrt{19.}$	Landlord Identification Form.  Executed lease or assignment with landlord's consent in the corporation or applicant's name (whichever is applicable)	
	Statement of area plan. 500 Ft. rule affidavit for on pre liquor.	mises
1	On premises establishment questionnaire.	ş.»
$\frac{\sqrt{22.}}{2}$	Proposed method or operation.	
23.	Supplementary statement: Summer and Winter licenses.	
24.	Liquor store questionnairePackage stores: Block diagra	m.
$\frac{\sqrt{25}}{\sqrt{25}}$	Notification rider to community board	
	OP-Hard liquor <u>ONLY:</u> Two copies of the letter sent to Comm Village or Town Clerk and original mailing receipt (green & w	4 . · · ·

Name	of applicant Res	sidence		Citiz	zenship	DOB
						<del></del>
-					· · · · · · · · · · · · · · · · · · ·	
			·			· · · · · · · · · · · · · · · · · · ·
6.)	TO BE FILLED IN ONLY E (See page 2 of the instruction	BY LIMITED LIABIL s for required documen	ITY COMPANY OR its, such as Manageme	LIMITED LIAI	BILITY PART	NERSHIP
Name	· /	Member or Mana	ger Position		% of Own	ership Interest
MAR	ION SCOTTO V	Membe	er		25%	
ANTI	HONY SCOTTO, JR. $\sqrt{}$	/ Membe	er		25	
ELA	INA SCOTTO-FAUCETTA 🗸	Membe	er		25	
ROSA	ANNA SCOTTO√	. Membe	er		25	
NOTE	: Paragraph 5 of the o	operating agreem	ent provides tha	at the Appli	cant shall	be managed
	by the hembers.					
7.)	TO BE FILLED IN ONLY B	Y CORPORATION &	LLC/LLP APPLICA	ANTS		•
(a)	State under what law applican	t was organized:			New York	
<b>(</b> b)	Date of organization:				April 29,	1998
(c)	SUBMIT COPIES OF UPDA of officers and directors, and	TED CORPORATE I	KIT! ( or copies of the inding stock certificat	filing receipt, the	minutes show	ing the election
(d)	If applicant is a foreign corpo authority been obtained to do		e of	NO _	YES	S
(e)	If YES, date of certificate:			4		
(f)	Name of principal place of bu	siness:		STA	RJEM LLC	
(g)	Address of principal place of	business:		40	East 52nd	Street
				New	York, New	York 1002
(h)	Number of outstanding shares	•				
(i)	List names and addresses of application:	the STOCKHOLDERS	s, all OFFICERS and	DIRECTORS as	of the date o	f filing of this
Name	of Stockholder/ Officer/Director	Residence	Citizenship	Title No. o	of Shares Bi	rth Date
(						
(						<del></del>

#### LIST OF EXPENSES FOR THIS VENTURE

### All applicants must complete Section B.

Expe	nse Item (Actual or Estimated):	·
1.	Real Property	\$
2.	Fixtures & Equipment	\$ 197,500.00
3.	Inventory	\$ 25,000.00
4.	Security Deposit	\$
5.	Attorney/Representative Fees	\$15,000.00
6.	Operating Capital	\$49,456.25
7.	Miscellaneous Expenses	\$
8.	SLA fees	\$5,400.00
9.	First Month's Rent and Any Paid to Date	\$17,643.75
10.	Renovations	\$ <u>487,500.00</u>
11.	Goodwill	\$
12.	Other (insurance)	\$2,500.00
13. 14.	Total Deferred \$_400,000 (Total Deferred includes loans, mortgages, lines of	(Attach verification of <u>ALL</u> sources of cash)  f credit, notes, etc. Attach copies of <u>EACH</u> source of deferred monies)  from North Fork Bank to Starjem LLC
15.	TOTAL COST \$_800,000	

\*NOTE: The amounts in items 1 through 12 must total the amount reflected in item 15.

The amounts in items 13 and 14 must total the amount reflected in item 15.

Form: SLA APP: (2/97)

8(a)	Does applicant occupy said premises under a written lease or option to lease?	NO	YES X
(b)	If YES, state name and address of immediate lessor  & submit a signed copy of lease with all terms.	40 Eastco	
	Se Submit a signed copy of loads with all terms.	345 Park	Avenue
		New York,	New York
(c)	Do the terms of the lease or other arrangement require payment by the applicant of any consideration based on a percentage of the receipts of the business?	NO <u>x</u>	YES
(d)	If YES, state percentage and give details:		
		. *	
			•
9.)	Is any license under the Alcohol Beverage Control Law now in effect for the premises for which this application is filed?  SUBMIT COPY OF EXISTING LICENSE CERTIFICATE! (if available, if not, submit affidavit of explanation and the license number)	NO X	YES
		(name of curre	ent/previous licensee)
10(a)	Will any other business of any kind be carried on in said premises?	NO X	YES
(b)	If YES, provide details:	<u></u>	125
` ;		<del> </del>	
11(a)	Does any person not an applicant herein, or, if a corporate applicant, any person not an officer, director, or stockholder of such corporation, or any person not reported in questions above, share, or will share on a percentage basis or in any way in the receipts, losses or deficiencies of the business, to any extent whatsoever?	NO X	YES
(b)	If so, state the names and addresses of such persons, the nature and percent of their	share and date ac	quired
Name		shares	Date Acquired
		· .	
12(a)	Has the applicant or (if a partnership) any of the partners of (if a corporation) any of the officers, directors or stockholders any interest, directly or indirectly, in any premises or business where any alcoholic beverage is manufactured or sold at wholesale or retail, whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?	NO	YES_X_
(b)	If YES, state the name and addresses of the premises, the license number, the date the nature of the interest.	ne interest was ac	quired and the exact
See	e accompanying Personal Questionnaires.		
٠.			

### STATEMENT OF AREA PLAN

	Applicants for ON-PREMISES and LIQUOR STORE licenses must complete Section D.
	our premises within 200 feet of any School, Church or Place of Worship?  NO X YES  S, SUBMIT BLOCK PLOT DIAGRAM and Complete:
(Indi	ate the distance in feet from proposed premises)  ATTACH ADDITIONAL SHEETS IF NECESSARY
1.	Name:
	Address:
	Distance:
2.	Name:
	Address:
	Distance:
3.	Name:
	Address:
	Distance:
	SECTION M
	500 FOOT RULE AFFIDAVIT
	Applicants for On-Premises Liquor licenses must complete Section M.
with prem	public interest, the provisions of Section 64.7 and 64-a.7 of the ABC Law require the Authority to consult the municipality or community board prior to granting a license for any on premises liquor license for any ses within five hundred feet of three or more similarly licensed premises. The Authority is further required aduct a public hearing, upon notice to the applicant and the municipality or the community board.  MARION SCOTTO  MARION SCOTTO  MARION SCOTTO  MARION SCOTTO  MARION SCOTTO  MARION SCOTTO
	Check the appropriate box.
X	IS within a 500 foot radius of three or more establishments selling liquor for on premises consumption.
	IS NOT within a 500 foot radius of three or more establishments selling liquor for on premises consumption.

FORM: SLA APP. (REVISED 2/97)

### LANDLORD IDENTIFICATION QUESTIONNAIRE

1.)	Name of Landlord _	40 EASTCO							
2.)	Premises address (Premises to be license	Portion Street	Floor, 40 I	East	52nd	Street	New	York,	NY.
3.)	Type of awnership:		Individual Proprietors Partnersbig Corporatio	,	-	X			
l.)	Landlord Principals:								
MAN	Œ	ADDRES8							
	See attached	rider							
. •	Are any persons listed of YES, list names:		oes;		N	0x		25	
. •	Are any persons listed o		occs?		No	•			
<b>(b)</b>	Are any persons listed of Are any persons listed or	n this form police office office office of the currently of this form currently of			-	·			
(b)	Are any persons listed of YES, list names:  Are any persons listed or liconsed under the ABC	n this form police office office office of the form currently of law?			- NO		YES	]	
(a) (b)	Are any persons listed of Are any persons listed or	n this form police office office office of the form currently of law?			- NO	)	YES	]	
(b) (a) (b)	Are any persons listed of YES, list names:  Are any persons listed or liconsed under the ABC	n this form police office office office of the form currently of law?			NC Se	e attac	YES thed r	rider	
(b) (a) (b)	Are any persons listed of YES, list names:  Are any persons listed or liconsed under the ABC If YES, list names and li	n this form police office office of the form currently of law?		Pho	NC Se	)	YES thed r	rider	

IMPORTANT - Signature must be same as signature on original lease—if not, furnish either affidavit in explanation, affix logible corporate seal, or submit other proof of signature's authority.

PUBLIC STA ALT. (REVEND 10)

# RIDER TO LANDLORD IDENTIFICATION NAMES AND ADDRESSES OF PRINCIPALS OF PARTNERSHIP LANDLORD

Jack Rudin
Lewis Rudin
Eric C. Rudin
Madeleine Rudin Johnson
Katherine L. Rudin
Beth Rudin DeWoody
William C. Rudin

Jack and Lewis Rudin, as Executors of the Estate of Samuel Rudin, and Jack and Lewis Rudin, as Trustees of a Trust under the Estate of Samuel Rudin, were previously licensed under the ABC Law as principals under the license no. IRL 26282 at the same premises (41 Madison Avenue, New York, N.Y.)

#### **ON-PREMISES ESTABLISHMENT QUESTIONNAIRE**

All applicants, EXCEPT for Grocery and Drug Store Beer, must complete Section F. Neighborhood 1.(a) Type of neighborhood? Residential \_\_\_\_X **Business** Shopping Mall (b) Population density: Normal \_\_\_ X Congested Resort Business or residential street? (c) Business (d) Is there any local option restriction in this area (Dry, Partially Dry)? NO X YES (e) If so, explain: Premises (exterior) 2.(a) Type of building and list number of floors: Office building - twenty three floors Retail store (b) What was prior occupant of premises? NO YES X (c) Is view from street clear and unobstructed? (d) If not, state reason: NO \_\_\_\_\_ YES X Any outside area or sidewalk cafe used for the sale (e) or consumption of alcoholic beverages? An application for a sidewalk cafe permit will be filed in advance of (f) If so, describe: May, 1999 so as to be obtained in Submit copy of permit OR letter from Municipality stating that no permit is required for outdoor consumption of alcohol! NO \_\_\_\_ YES \_\_\_\_ Are the premises to be licensed divided in any way, by a (g) public or private highway, thoroughfare, passageway, etc., over which applicant does not have an exclusive possession and control? If so, describe: (h) Premises (interior) NO \_\_\_\_ YES X On street level? 3.(a) (b) If not, what floor? One (c) How many floors do the premises occupy? (d) How many rooms on each floor? Three

(e)	Use of rooms?	Dining room, kitchen, bathroom
(f)	How many bathrooms?	One (see certification of Marion Scotto submitted with this application)
(g)	If more than one floor what is the access between floors?	
(h)	What is the maximum number of persons that can legally occupy the premises?	75
(i)	Number of tables?	19
(j)	Number of seats at tables?	36 indoor/ 10 outdoor
(k)	Is the interior view unobstructed throughout?	Yes
<b>(1)</b>	If not, state reason:	
(m)	Are premises sufficiently illuminated?	NO YES _ X
(n)	If booths, how high?	
(o)	Any openings to other parts of the building?	NO X YES
(p)	If so, describe:	
Bars		
4.(a)	How many stand-up bars are located on the premises?	One
(b)	How many service bars?	
(c)	Describe all bars (length, shape and location):	Semi-circular, 14'10" circumference
		located in rear of restaurant
(d)	Any food counters?	NO X YES
(e) ·	If so, describe:	
Kitche	n	
5.(a)	Location and size of kitchen, if any:	375 Square Feet
(b)	Is food available for sale?	NO YESX
(c)	If so, describe type of food?	Italian
(d)	Is a chef employed?	NO YES _ X
(e)	What other kitchen help is employed?	Pastry cook, pizza person, grill perso
		pasta cook, sandwich preparer and

Permit	s		
6.(a)	Has premises been issued a Board of Health Permit? (If yes, please submit a copy!)	NO	ding YES
(b)	Does Premises have a valid Certificate of Occupancy?	NO	YES X
Submit	copy of permit OR letter from Municipality stating that no Cert	ificate of Occup	pancy is required!
(c)	Any pool tables?	NO X	YES
(d)	If so, provide number of tables and playing surface dimensions?		
(e)	Names of pool table vendor(s)?		<u> </u>
Hotel 7.(a)	Type of Hotel:	Transient Apartment Summer	
(b)	Is building used solely as a Hotel?	NO	YES
(c)	Will you conduct catering?	NO	YES
(d)	How many floors?		
(e)	How many rooms?		
(f)	How many mini bars?		
(g)	Describe dining room facilities:	<u> </u>	·
	•		

#### PROPOSED METHOD OF OPERATION

All applicants for a license to sell alcoholic beverage for consumption on-premises must complete section G. 1.) What type of establishment will this be? Restaurant (ie: restaurant, tavern, disco, etc.) NO X YES \_\_\_\_ 2.) Will premises have live music? 3.) Will premises permit dancing? NO X YES \_\_\_\_ 4.) Will premises have other kinds of entertainment? NO X YES If YES, describe: Provide copies of all applicable permits (ie: live music, entertainment, dancing) from local municipality. 5.) What are the proposed hours of operation? OPEN: 6:30 A.M. CLOSE: 7:00 P.M. NO X YES 6.) Will the business employ a Manager? 7.) Name(s) of Manager(s) Manager(s) MUST complete Personal Questionnaire 8.) How many employees? (Describe positions) One chef, one pastry cook, one pasta cook, one grill person, one pizza person, one sandwich preparer, one dishwasher, one coffee person, one bartender, three servers, one assistant manager, one busperson 9.) Will there be security personnel? NO \_\_\_\_\_ YES \_\_\_\_\_ If YES, how many?

### **AFFIDAVIT**

Any answer or statement, which is false, made by the applicant constitutes perjury and will subject any permit or license issued hereunder to revocation or cancellation.

I, _	MARION SCOTTO,	Member of		, the applicant, (sol	e proprietor, part	ner, or
corp	oorate principal) for a	(n) <u>on premises</u>			permit or	license
unde	erstand that the New Y	York State Liquor Auth	nority will <b>rely</b> on e	ach and every answe	er in the applicati	on and
acco	ompanying papers in	reaching their determin	nation and swear, t	ınder penalty of per	jury, that all state	ements
ther	ein are true to the bes	st of my knowledge and	d belief. I FURTH	ER STATE that no	person has or wi	ll have
any	interest in the applica	ant's license if said pe	rson has previously	been issued a licer	nse by the State	Liquor
Autl	hority and such licens	e has been revoked fo	or cause within two	(2) years of this ar	plication.	
(,	Marien Signature	Scotto	· ·			
COU	JNTY OF NEW	YORK )	١.			
STA	TE OF _ NEW	YORK )	o.:			
	the 20th	<del>-</del>	ny of <u>Augus</u>			before
_		ARION SCOTTO	Knov	vn to me to be the in	adividual who ex	ecuted
the :	foregoing instrument.	NO	OTARY PUBLIC			

ROBERT V. FERRARI
Notary Public, State of New York
No. 31-1200140
Qualified in New York County
Commission Expires May 31, 19—

#### CERTIFICATION

- 1. I am the President of Starjem Restaurant Inc. which owns and operates Fresco, a restaurant at 34 East 52nd Street, New York, New York.
  - 2. Fresco provides separate bathrooms for both sexes.
- 3. I am also a maxexex member of Starjem LLC which planning to open a new restaurant at 40 East 52nd Street, New York, New York (the "New Restaurant"). The entrance to the New Restaurant is located less than fifty feet from the entrance to Fresco. See diagram attached hereto.
- 4. Both patrons and employees of the New Restaurant will be permitted to utilize Fresco's separate bathrooms.
- 6. This Certification is given knowing that the State Liquor Authority will rely on the truth of the assertions made therein.

Dated: August 20, 1998

MARION SCOTTO

# DIAGRAM TO BATHROOMS

STAR JEM RESTAUR.

DIBLA FRESCO

ATT STAR SEM RESTAUR.

DIBLA FRESCO

ATT STREET

APPLICANT

40 EAST 52

## PERSONAL QUESTIONNAIRE

		and check the appropriat			
ME (	OF APPLICATION:				
	YOUR NAME _MA				
		RELOW BOOK 20			
	Address				
	Social Security No.	, <del></del>			•
	Date of Birth	-		<del></del>	
	Telephone No.				
	List any other name	or names you have been	known byM	ARION ANASTASIO (ma	iden name)
		me) and the reason for			
		mic) and are remain			
	your name:	:			
	Height 5'4"	Weight	135	Marital Status	Married
	Sex Female		Blonde	_ Spouse Name	ANTHONY SCOTT
	<u></u>	<del></del>		& S.S. #	
					vec v
	Country of Birth: _	USA		U.S. Citizen? NO	1ES _A
)	Residences for past Address	TEN years including you	ur present address: (If	more space required, attach FROM (mo./yr.)	add'l sheets!) TO (mo/yr.)
		TEN years including you	ir present address: (If	more space required, attach FROM (mo./yr.)	add'l sheets!) ΓΟ (mo./yτ.)
.)	Address  Your occupation re	cord for the past TEN ye		FROM (mo/yr.)  FROM (mo/yr.)  Equired, attach add'l sheets!)  Type of Busines	SS Occupation
) ROM	Your occupation real/TO (mo/yr.)	cord for the past TEN ye	ars: (If more space re	equired, attach add'l sheets!)	SS Occupation
) ROM	Your occupation red/TO (mo/yr.) En	cord for the past TEN ye mployer A jêm 34 Eas	ars: (If more space re	equired, attach add'l sheets!)  Type of Busines  Restauran	SS Occupation
) ROM	Your occupation red I/TO (mo./yr.) Ento date Star	cord for the past TEN ye mployer jêm 34 Eas taurant Inc. New	ars: (If more space re Address t 52nd Street	equired, attach add'l sheets!)  Type of Busines  Restauran	S Occupation  It Manager  Inners Party
) ROM	Your occupation red/TO (mo./yr.) Ento date Star	cord for the past TEN yemployer jem 34 Eastaurant Inc. New Celebration 822	ars: (If more space re Address t 52nd Street York, New York	equired, attach add'l sheets!)  Type of Busine  Restauran	S Occupation  It Manager  Inners Party
) ROM 7/93	Your occupation red I/TO (mo/yr.) Ento date Star Res	cord for the past TEN yemployer jem 34 Eastaurant Inc. New Celebration 822 Bro	Address t 52nd Street York, New York 0 11th Avenue oklyn, New York	rkOM (molyf.)  Equired, attach add'l sheets!)  Type of Busines  Restauran  Party Plan  ck each):	S Occupation  It Manager  Inners Party
<b>PROM</b> 7 / 93	Your occupation red/TO (mo./yr.) Exto date Star Res	cord for the past TEN yemployer jem 34 Eastaurant Inc. New Celebration 822 Bro	Address t 52nd Street York, New York 0 11th Avenue oklyn, New York cense application (chec	Party Plan	ss Occupation  Manager
<b>PROM</b> 7 / 93	Your occupation red I/TO (mo/yr.) Ento date Star Res	cord for the past TEN yemployer jem 34 Eastaurant Inc. New Celebration 822 Bro  at) you will hold in the lie Director Stockholder	Address  t 52nd Street  York, New York  0 11th Avenue  oklyn, New York  cense application (chec	Party Planck each):  Landlord Broker	S Occupation  It Manager  Inners Party
.) ROM 7/93	Your occupation red/TO (mo/yr.) Ento date Star Res to 12/92 VIP  Position (or interes President V. President Secretary	cord for the past TEN yemployer jem 34 Eastaurant Inc. New Celebration 822 Bro  at) you will hold in the lie Director Stockholder Partner	ars: (If more space re Address  t 52nd Street  York, New York  0 11th Avenue  oklyn, New York  cense application (checomore)  Manager  Lender  Donor	Party Plan  Ck each):  Landlord  Broker  Vendor	S Occupation  It Manager  Inners Party
.) ROM 7/93	Your occupation red/TO (mo/yr.) Exto date Star Res to 12/92 VIP  Position (or interes President V. President Secretary Treasurer	cord for the past TEN years  jem 34 Eas: taurant Inc. New Celebration 822 Bro  a) you will hold in the lie Director Stockholder Partner General Partner	ars: (If more space re Address  t 52nd Street  York, New York  0 11th Avenue  oklyn, New York  cense application (checomore  Lender  Donor  Guarantor	Party Plan  Ck each):  Landlord  Broker  Vendor  Contractor	S Occupation  It Manager  Inners Party
7/93	Your occupation red/TO (mo/yr.) Ento date Star Res to 12/92 VIP  Position (or interes President V. President Secretary	cord for the past TEN yemployer jem 34 Eastaurant Inc. New Celebration 822 Bro  at) you will hold in the lie Director Stockholder Partner	ars: (If more space re Address  t 52nd Street  York, New York  0 11th Avenue  oklyn, New York  cense application (checomore)  Manager  Lender  Donor	Party Plan  Ck each):  Landlord  Broker  Vendor  Contractor  Franchisor	S Occupation  It Manager  Inners Party  Planner

(b) If YES, list hours you will devote to business sought to be licensed  One-third of time  One-third of time  NO YESX  Management of LLC, fifteen  hours, pay)  NO YESX  Management of LLC, fifteen  hours per week	B(a)	If you are an Applicant (ie: profficer or director) or Applicant your present occupation or bus	t's spouse, will you continue		NO	YESX
(b) If YES, explain nature of activity:  (hours, pay)  10(a) Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including losms?  (b) If YES, provide information below:  Business Name Type of Business Your Interest(Dasa Began)  Business Address Liquor License Federal ID No.  Stariem Restaurant Officer, Director 34 East 52nd St. NEW OF 6650  Restaurant Inc. & Shareholder New York, N.Y.  11/93  11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  (b) If YES, provide information below:  Name of applicant Address of premises State Date of filing License No. Disposition  12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	<b>(b)</b>	-	One-third of time			
or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?  (b) If YES, provide information below:  Business Name Type of Business Your Interest(Date Began) Business Address Liquor License Federal ID No.  Stariem Restaurant Officer, Director 34 East 52nd St. NEW OP 6650  Restaurant Inc & Shareholder New York, N.Y.  11/93  11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  (b) If YES, provide information below:  Name of applicant Address of premises State Date of filing License No. Disposition  12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	9(a) (b)	If YES, explain nature of activ		to be licensed?	Managemen	t of LLC, fifteen
Business Name Type of Business Your Interest(Date Began) Business Address Liquor License Federal ID No.  Starjem Restaurant Officer, Director 34 East 52nd St. NEW OP 6650  11/93  11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  (b) If YES, provide information below:  Name of applicant Address of premises State Date of filing License No. Disposition  12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	10(a)	or business where any alcoholi transported or sold at wholesal ownership, interlocking directe ownership of any real or perso	ic beverage is manufactured, le or retail whether by stock ors, mortgage or lien on, or		NO	YES X
Restaurant	(b)	If YES, provide information b				
11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  (b) If YES, provide information below:  Name of applicant Address of premises State Date of filing License No. Disposition  12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	Busine	ss Name Type of Business	Your Interest(Date Began)	Business Addre		
11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  (b) If YES, provide information below:   Name of applicant   Address of premises   State   Date of filing   License No.   Disposition	Stari	em Restaurant	Officer, Director	34 East 52r	d St. NEW	OP 6650
11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  (b) If YES, provide information below:  Name of applicant Address of premises State Date of filing License No. Disposition  12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?			& Shareholder	New York, N	Ι.Υ	
11(a) Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  (b) If YES, provide information below:  Name of applicant Address of premises State Date of filing License No. Disposition  12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?			11/93			
Name of applicant  Address of premises  State Date of filing License No. Disposition  12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	11(a)	anywhere for a license or per- beverages, including any appl corporation in which you are	mit to traffic in alcoholic ication as a partnership or were a principal?		NO <u>x</u>	_ YES
Name of applicant  Address of premises  State Date of mining  12(a) Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	<b>(b)</b>	If YES, provide information	below:			<b></b>
CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	Name	of applicant Address of	premises State	Date of filing	License No.	Disposition
CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?						
CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?						
CANCELLED or otherwise Involuntarily Terminated?  (b) If YES, state action and date of action:  13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?						
13(a) Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	12(a)	Has a license or permit listed CANCELLED or otherwise	l above been REVOKED, Involuntarily Terminated?		NO <u>X</u>	_ YES
subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	<b>(b)</b>	If YES, state action and date	of action:			
(b) If YES, provide details:	13(a)	subordinate of any police de	partment, a Sheriff, Deputy,		NO X	YES
	<b>(b)</b>	If YES, provide details:				· · · · · · · · · · · · · · · · · · ·

14(a)	Have you ever been CONVICTED (including pleas of guilty or suspended sentences) of any felony, misdemeanor (including driving while intoxicated or impaired) or any other type of offense EXCEPT MINOR TRAFFIC INFRACTIONS?	NO X YES
<b>(b)</b>	If YES, attach a Certificate of Disposition by the court clerk for each case and a Certificate of Relief from disabilities if available and submit an affidavit explaining all details. If you have reported all convictions to this authority and were subsequently approved for a license, check here:	Approved
15(a)	Are there any ARRESTS, INDICTMENTS or SUMMONSES other than minor traffic infractions PENDING against you (including driving while intoxicated or impaired)?	NO X YES
<b>(b)</b>	IF YES, PROVIDE COPY OF ACCUSATORY INSTRUMENT!	
16.)	If you are an applicant (ie: proprietor, partner, stockholder, officer or director), would any of the above questions require a YES answer if asked of your spouse?	NO X YES
17.)	If you answered YES to the above question or if your spouse will aid in the management of the applicant business, check here and your spouse must complete a personal questionnaire.	(Spouse will complete questionnaire)
18.)	Do you or did you have a family, business or social relationship with the landlord, tenant or last licensee of the premises to be licensed?	NO X YES
	If YES, explain:	
19.)	How did you become aware of the availability of the subject premises?	Premises are next door to our existng business

## **FINANCES**

IMPORTANT - Submit any and all records, documents and affidavits that you feel may assist you in explaining the source of monies you will provide the applicant as per instruction sheet.

EXAMPLES OF DOCUMENTS TO SUBMIT: A. Loan or gift letter. B. Copy of bank or stock account from which funds will be loaned or gifted. From these accounts, copy of name page and all pages going back one year. Circle or highlight unusual deposits and explain. If funds were transferred from another account or previous bank book(s), copy of the name page and all pages going back one year for that book.

## 20.) FINANCES

State TOTAL AMOUNT OF MONE	Y you are providing the applicant	\$ 200,000
Type of Investment (Investment/Loan/Contract-debt)	Dollar (\$) Amount	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
Investment	\$200,000	Chase Vista Funds Account No.
	co-signer or putting up something of va	alue as collateral.  Identify Loan/Describe Collateral
Identify Co-Signer or Collateral		
will constitute cause for the disapp	roval of the application or revocation of	iquor Authority and a false statement or misrepresentation from any license for which this application is submitted.  For to the receipt of the license, I will notify the Authority similarly of the license. I will notify the Authority similarly
		eccipt of the license, I will notify the Authority similarly iolate the Alcoholic Beverage Control Law and may result
·	Marion Signature	otto
	August 2 Date	0,1998

# PERSONAL QUESTIONNAIRE

•Ans	principals to the licens wer all questions below	w and check the	e appropriate sp	aces.	•Attach add'l s	te blank forms as necessary. Theets if more space is needed.
	OF APPLICATION:					
1.)	YOUR NAME A	NTHONY M. S	SCOTTO, JR.			
,	Address					
	Social Security No.		. 1			
	-					
	Date of Birth			•		
	Telephone No.					
2.)	List any other name	e or names you	have been kno	wn by	None	
,	(including maiden 1					
	your name:					v 1
3.)	Height5'10'	it	Weight	210	Marital Status	
,	Sex Male		Hair Color	Brown	Spouse Name	THERESA PISACANI
					& S.S. #	_
			•			VEC V
4.)	Country of Birth: ien, state Registration	USA			U.S. Citizen?	NO YES _X
	Address				TROM (may)	r.) TO (mo./yr.)
6.)			ast TEN years:	(If more space requ	nired, attach add'l shee	ts!) iness Occupation
FRO	M/TO (mo./vr.)	Employer	Addr	ress	Type of Dus	mcss George
FRO		Employer	<b>Addr</b> rant Inc. 3	ress	. Restaur	mcss Groupeman
<b>FRO</b> 8/9	M/TO (mo./vr.)	<b>Employer</b> jem Restau	Addirant Inc. 3	<b>ess</b> 4 East 52nd St	. Restaur	ant Co-Manager
<b>FRO</b> 8/9	Position (or intervented by President V. President Secretary Treasurer	One  est) you will ho Direct Stockl Partne	Los Ang	New York, N.y.  eles, Californ  e application (check  Manager  Lender  Donor  Guarantor  LLC Manager	Restaur  Restaur  Landlord Broker Vendor Contractor Franchisor	ant Co-Manager  ant General Manage
8/9 198	Position (or intervented by President V. President Secretary	One  est) you will he  Stockl Partne Gener Limite	Los Ang  Los Ang  bld in the licens  cor  holder  ral Partner	New York, N.y.  eles, Californ  e application (check  Manager  Lender  Donor  Guarantor	Restaur  Restaur  Landlord Broker Vendor	ant Co-Manager  ant General Manage

B(a)	If you are an Applicant (ie: proprietor, partner, stockholder, officer or director) or Applicant's spouse, will you continue your present occupation or business?	NO YES _X
<b>(</b> b)	If YES, list hours you will devote to business sought to be licensed	One-third of time
	Will you take an active part in the operation of the business to be licensed?	NO YESX
9(a)	If YES, explain nature of activity:	Management of LLC, fifteen
<b>(b)</b>		hours per week
	(hours, pay)	
10(a)	Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?	NO YESX
(b)	If YES, provide information below:	
	s Name Type of Business Your Interest(Date Began) Business Addre	ss Liquor License Federal ID No.
	jem Restaurant Officer, Director 34 East 52nd	1 St.: NEW OP 6650
	Now York N	Υ.
Rest	aurant Inc. & Shareholder New York, N	,
	11/93	NO YESX
11(a)	autant auc.	
	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or	NO YESX
11(a)	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  If YES, provide information below:  of applicant Address of premises State Date of filing	NO YESX  License No. Disposition
11(a) (b) Name	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  If YES, provide information below:	NO YESX
11(a) (b) Name	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  If YES, provide information below:  of applicant  Address of premises  State Date of filing	NO YESX  License No. Disposition
11(a) (b) Name	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  If YES, provide information below:  of applicant Address of premises State Date of filing RUBINO'S Fisherman's Wharf California 12/83	NO YESX  License No. Disposition
11(a) (b) Name	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  If YES, provide information below:  of applicant Address of premises State Date of filing RUBINO'S Fisherman's Wharf California 12/83	NO YESX License No. Disposition
(b) Name BOBBY	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  If YES, provide information below:  of applicant Address of premises State Date of filing RUBINO'S Fisherman's Wharf California 12/83  San Francisco, California  Has a license or permit listed above been REVOKED,	NO YESX  License No. Disposition  / Approved
(b) Name BOBB)	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  If YES, provide information below:  of applicant Address of premises State Date of filing RUBINO'S Fisherman's Wharf California 12/83  San Francisco, California  Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?	NO YESX  License No. Disposition  / Approved
(b) Name BOBBY	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?  If YES, provide information below:  of applicant Address of premises State Date of filing RUBINO'S Fisherman's Wharf California 12/83  San Francisco, California  Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?  If YES, state action and date of action:  Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy,	NO YESX  License No. Disposition / Approved  NO _X YES

14(a)	Have you ever been CONVICTED (including pleas of guilty or suspended sentences) of any felony, misdemeanor (including driving while intoxicated or impaired) or any other type of offense EXCEPT MINOR TRAFFIC INFRACTIONS?	NO X YES
(b)	If YES, attach a Certificate of Disposition by the court clerk for each case and a Certificate of Relief from disabilities if available and submit an affidavit explaining all details. If you have reported all convictions to this authority and were subsequently approved for a license, check here:	Approved
15(a)	Are there any ARRESTS, INDICTMENTS or SUMMONSES other than minor traffic infractions PENDING against you (including driving while intoxicated or impaired)?	NO X YES
(b)	IF YES, PROVIDE COPY OF ACCUSATORY INSTRUMENT!	
16.)	If you are an applicant (ie: proprietor, partner, stockholder, officer or director), would any of the above questions require a YES answer if asked of your spouse?	NOX YES
17.)	If you answered YES to the above question or if your spouse will aid in the management of the applicant business, check here and your spouse must complete a personal questionnaire.	(Spouse will complete questionnaire)
18.)	Do you or did you have a family, business or social relationship with the landlord, tenant or last licensee of the premises to be licensed?	NO X YES
	If YES, explain:	
19.)	How did you become aware of the availability of the subject premises?	Premises are next door to our existing business
		•

## **FINANCES**

IMPORTANT - Submit any and all records, documents and affidavits that you feel may assist you in explaining the source of monies you will provide the applicant as per instruction sheet.

EXAMPLES OF DOCUMENTS TO SUBMIT: A. Loan or gift letter. B. Copy of bank or stock account from which funds will be loaned or gifted. From these accounts, copy of name page and all pages going back one year. Circle or highlight unusual deposits and explain. If funds were transferred from another account or previous bank book(s), copy of the name page and all pages going back one year for that book.

## 20.) FINANCES

State TOTAL AMOUNT OF MONEY you are providing the applicant	\$ 66,666.66
Type of Investment Dollar (\$) Amoun Investment/Loan/Contract-debt)	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
Distribution from Starjem Restaurant, Inc. \$66,6	66.66 see letter of Marion Scott
Distribution from Starjem Restaurancy Sant	and corporation's bank
	statement annexed thereto
If you are guaranteeing a loan as a co-signer or putting up something	of value as collateral.
Identify Co-Signer or Collateral	Identify Loan/Describe Collateral
I understand that the information I submit will be relied upon by the S will constitute cause for the disapproval of the application or revocate	tion of any needse for water and approximation
I verify that statements made herein are true and if any change occurs aby registered or certified mail within 48 hours or if change occurs a within 10 days. I understand that failure to give the required notice	
in revocation of the license.	$\mathcal{M}_{\mathcal{A}}$
Signat	we .
8 20 Da	98

## PERSONAL QUESTIONNAIRE

ИE.	OF APPLICATION:	STARJEM LLC				
	YOUR NAME R			·		
	Address					- <u>-</u>
	Social Security No.	-				
	Date of Birth	-			<del></del>	
	Telephone No.					
		<del>':</del>				./maxxied name
	List any other name	e or names you hav	e been knov	vn by ROSANNA	SCOTTO RUGGIERO	(Married Hame)
	(including maiden					
	your name:					4 1
	** *- E	We	ight	125	Marital Status	Married
	Height5'4''		•	Brown	Spouse Name	LOUIS RUGGIER
	Sex Fema	ile Ha	r Color	Brown	& S.S. #	
					oε 3.3. π	
				<b>,</b> .	_ U.S. Citizen? NO _	YES X
	Country of Birth:	USA				
l				esent address: (If more s		id'l sheets!) (mo./yr.)
	Residences for pas				space required, attach ad	id'l sheets!) (mo/yr.)
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ROI	Residences for pass Address  Your occupation	record for the past	ing your pro	(If more space required, ess	FROM (mo./yr.) TO  attach add'l sheets!) Type of Business	Occupation
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) ROI	Your occupation of	record for the past	ing your pro	(If more space required, ess	FROM (mo./yr.) TO  attach add'l sheets!) Type of Business	Occupation
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) ROI /80	Your occupation of M/TO (mo/yr.) 6 to present Fo  Position (or interpresident V. President	record for the past 1 Employer x 5 News  est) you will hold it Director Stockhold	TEN years: Addresses New You	(If more space required, ess ast 67th Street ork, New York	space required, attach ad FROM (mo/yr.) TO attach add'l sheets!) Type of Business News Station	Occupation
) ROI /80	Your occupation of M/TO (mo/yr.) 6 to present Fo  Position (or interpresident V. President Secretary	record for the past 1 Employer x 5 News  est) you will hold it Director Stockhold Partner	TEN years: Addresses New You	(If more space required, ess ast 67th Street ork, New York e application (check each Manager Lender	attach add'l sheets!)  Type of Business  News Station  Landlord  Broker  Vendor  Contractor	Occupation
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8(a)	officer o	re an Applicant (ie: propriet	oprietor, partner, stockhol 's spouse, will you conti iness?	der, nue	NO	YES	<u>X</u>	
<b>(b)</b>	If YES, list hours you will devote to business sought to be licensed				None Walley			
, 9(a) (b)		explain nature of activ	the operation of the businity:	ness to be licensed?	NOx	YES		
10(a)	Do you or busin transport owners!	have any interest, directless where any alcoholicted or sold at wholesal	et or indirect, in any pren c beverage is manufacture e or retail whether by sto ers, mortgage or lien on, o mal property, or by any o	ed, ck or	NO	YES _	<u>X</u>	
<b>(b)</b>	If YES,	, provide information b				• ••	. Podemi ID No	
Busine	ss Name	Type of Business	Your Interest(Date Beq			•	e Federal ID No.	
Star	jem	Restaurant	Stockholder	34 East 52n	d St. NI	EW OP 6650	)	
Resta	aurant	Inc.	11/93	New York. N	. ү			
11(a)	anywhe beverag	ere for a license or perr			NO	X YES _		
(b) Name	of applic	_	_	nte Date of filing	License N	No. Disp	osition	
<del> </del>								
				·				
12(a)	Has a	license or permit listed CELLED or otherwise l	above been REVOKED, Involuntarily Terminate	<b>i?</b>	NO	X YES	<del></del>	
<b>(b)</b>	If YE	S, state action and date	of action:					
13(a)	subon	ou a police commission dinate of any police der r-Sheriff or any Peace (	ner, other police official, partment, a Sheriff, Deput Officer?	ty,	NO	X YES _		
(b)	If YE	S, provide details:			<del> :</del>			
				•	<del></del>			

14(a)	Have you ever been CONVICTED (including pleas of guilty or suspended sentences) of any felony, misdemeanor (including driving while intoxicated or impaired) or any other type of offense EXCEPT MINOR TRAFFIC INFRACTIONS?	NO X YES
<b>(b)</b>	If YES, attach a Certificate of Disposition by the court clerk for each case and a Certificate of Relief from disabilities if available and submit an affidavit explaining all details. If you have reported all convictions to this authority and were subsequently approved for a license, check here:	Approved
15(a)	Are there any ARRESTS, INDICTMENTS or SUMMONSES other than minor traffic infractions PENDING against you (including driving while intoxicated or impaired)?	NO <u>X</u> YES
<b>(b)</b>	IF YES, PROVIDE COPY OF ACCUSATORY INSTRUMENT!	
16.)	If you are an applicant (ie: proprietor, partner, stockholder, officer or director), would any of the above questions require a YES answer if asked of your spouse?	NO X YES
17.)	If you answered YES to the above question or if your spouse will aid in the management of the applicant business, check here and your spouse must complete a personal questionnaire.	(Spouse will complete questionnaire)
18.)	Do you or did you have a family, business or social relationship with the landlord, tenant or last licensee of the premises to be licensed?	NO <u>X</u> YES
	If YES, explain:	
19.)	How did you become aware of the availability of the subject premises?	Premises are next door to our existing business

### **FINANCES**

IMPORTANT - Submit any and all records, documents and affidavits that you feel may assist you in explaining the source of monies you will provide the applicant as per instruction sheet.

EXAMPLES OF DOCUMENTS TO SUBMIT: A. Loan or gift letter. B. Copy of bank or stock account from which funds will be loaned or gifted. From these accounts, copy of name page and all pages going back one year. Circle or highlight unusual deposits and explain. If funds were transferred from another account or previous bank book(s), copy of the name page and all pages going back one year for that book.

## 20.) FINANCES

in revocation of the license.

State TOTAL AMOUNT OF MONE	Y you are providing the applicant	\$_66,666.66
Type of Investment (Investment/Loan/Contract-debt)	Dollar (\$) Amount	Source of Funds (Accounts, Loans, Gifts, Asset Sales, Etc.) (enter identification numbers for accounts)
Distribution from Starjem	Restaurant, Inc. \$66,666.66	see letter of Marion Scott
D100110001		and corporation's bank
		statement annexed thereto
		·
Identify Co-Signer or Collateral	o-signer or putting up something of value as co	Identify Loan/Describe Collateral
I understand that the information I so will constitute cause for the disapport	ubmit will be relied upon by the State Liquor Autoval of the application or revocation of any lice	thority and a false statement or misrepresentation ense for which this application is submitted.
		receipt of the license, I will notify the Authority the license, I will notify the Authority similarly Alcoholic Beverage Control Law and may result

# PERSONAL QUESTIONNAIRE

•All p	orincipals to the lie	ense applicated	tion must complete that ck the appropriate specific	is questionnaire in faces.	ull. •Make duplicate bl •Attach add'l sheet	ank forms as necessary. s if more space is needed.	
NAME	OF APPLICATION	N: STARJ	EM LLC				
<del>,                                     </del>		YOUR NAME ELAINA SCOTTO-FAUCETTA					
•••,	Address						
	Social Security					•	
	Date of Birth						
	Telephone No.						
2.)	List any other D	ame or name	s you have been know	vn by <u>ELAI</u>	NA SCOTTO (maiden	name)	
4.,			d the reason for chan				
	your name:	•					
	•		• •	120	Marital Status	Married	
3.)	Height 5		Weight	Brown	•	DANIEL FAUCETTA	
	Sex Fe	male	Hair Color	DIOWI	& S.S. #		
						. — . Y	
4.)	Country of Bir	th: <u>US</u>	Α		U.S. Citizen? NO	YES _^	
5.)	Residences for	past TEN ye	ars including your pr	esent address: (If m	FROM (mo./vr.) To	O (mo./yr.)	
	Your occupation OM/TO (mo/yr.) e annexed Ride	Employer		(If more space requ	ired, attach add'l sheets!)  Type of Business	Occupation	
7.)	Position (or in President V. President Secretary Treasurer Chairman		vill hold in the license Director Stockholder Partner General Partner Limited Partner Sole Proprietor	e application (check  Manager  Lender  Donor  Guarantor  LLC Manager  LLC Member	each):  Landlord Broker Vendor Contractor Franchisor X Management Ag		

8(a)	If you are an Applicant (ie: proprietor, partner, stockholder, officer or director) or Applicant's spouse, will you continue your present occupation or business?	NO YES X	
(b)	If YES, list hours you will devote to business sought to be licensed	One-third of time	
9(a) (b)	Will you take an active part in the operation of the business to be licensed?  If YES, explain nature of activity:  (hours, pay)	NOYES _X  Management of LLC, fifteen hours per week	
10(a)	Do you have any interest, direct or indirect, in any premises or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans?	NO YES X	
(b)	If YES, provide information below:	T And TO No	
Busine	ss Name Type of Business Your Interest(Date Began) Business Addre		
Starj	em Restaurant Officer, Director 34 East 52n	d St. NEW OP 6650	
Resta	urant Inc. & Shareholder New York, N	.у.	
-	11/93		
11(a)	Other than as itemized in the above, have you ever applied anywhere for a license or permit to traffic in alcoholic beverages, including any application as a partnership or corporation in which you are/were a principal?	NO <u>X</u> YES	
<b>(b)</b>	If YES, provide information below:	n n n n n n n n n n n n n n n n n n n	
Name	of applicant Address of premises State Date of filing	License No. Disposition	
12(a)	Has a license or permit listed above been REVOKED, CANCELLED or otherwise Involuntarily Terminated?	NO <u>X</u> YES	
(b)	If YES, state action and date of action:		
13(a)	Are you a police commissioner, other police official, subordinate of any police department, a Sheriff, Deputy, Under-Sheriff or any Peace Officer?	NO X YES	
<b>(b)</b>			
<b>\-</b> /			
	•		

14(a)	Have you ever been CONVICTED (including pleas of guilty or suspended sentences) of any felony, misdemeanor (including driving while intoxicated or impaired) or any other type of offense EXCEPT MINOR TRAFFIC INFRACTIONS?	NO X YES
<b>(b)</b>	If YES, attach a Certificate of Disposition by the court clerk for each case and a Certificate of Relief from disabilities if available and submit an affidavit explaining all details. If you have reported all convictions to this authority and were subsequently approved for a license, check here:	Approved
15(a)	Are there any ARRESTS, INDICTMENTS or SUMMONSES other than minor traffic infractions PENDING against you (including driving while intoxicated or impaired)?	NO <u>X</u> YES
(b)	IF YES, PROVIDE COPY OF ACCUSATORY INSTRUMENT!	
16.)	If you are an applicant (ie: proprietor, partner, stockholder, officer or director), would any of the above questions require a YES answer if asked of your spouse?	NO X YES
17.)	If you answered YES to the above question or if your spouse will aid in the management of the applicant business, check here and your spouse must complete a personal questionnaire.	(Spouse will complete questionnaire)
18.)	Do you or did you have a family, business or social relationship with the landlord, tenant or last licensee of the premises to be licensed?	NO <u>X</u> YES
	If YES, explain:	
19.)	How did you become aware of the availability of the subject premises?	Premises are next door to our existing business

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Distribution from Starjem R	estaurant, Inc. \$66,666.66	see letter of Marion Scott
Distribution from Starjem K	staurancy	and corporation's bank
		statement annexed thereto
	•	
Identify Co-Signer or Collateral		
will constitute cause for the disapprove liverify that statements made herein a	are true and if any change occurs prior to the r	hority and a false statement or misrepresentation use for which this application is submitted.  ecceipt of the license, I will notify the Authority the license, I will notify the Authority similarly Alcoholic Beverage Control Law and may result
in revocation of the license.	me m Pres and reduced and and and and and and and and and an	

Aland Seoth-Fauctto
Signature

Auf 20 1998
Date

## RIDER TO PERSONAL QUESTIONNAIRE ELAINA-SCOTTO FAUCETTA

#### <u>Ouestion 6</u>:

- 7/93 to date, Starjem Restaurant Inc., 34 East 52nd Street, New York, New York, Restaurant, Manager.
- 7/92 to 8/92, AMSCO Resources, 155 East 55th Street, New York, New York, Public Relations.
- 8/91 to 7/92, Robert Comstock, 1776 Broadway, New York, New York, Public Relations.
- 1/91 to 8/91, Bider Mann Ind., 575 Fifth Avenue, New York, New York, Public Relations.
- 1988 to 1/91, Mary Ann Restivo, 498 Seventh Avenue, New York, New York, Clothing, Sales Assistant.

#### STARJEM RESTAURANT INC. 34 East 52nd Street New York, New York 10022

August 20, 1998

State Liquor Authority 11 Park Place New York, New York 10007

Re: Starjem LLC

40 East 52nd Street

Dear Sir/Madam:

I am the President of Starjem Restaurant Inc. (the "Corporation"). The Corporation is making the following distribution to the shareholders named below:

Rosanna Scotto

\$66,666.66

Elaina Scotto-Faucetta

66,666.66

Anthony M. Scotto, Jr.

66,666.66

The funds comprising this distribution are contained in the Corporation's business checking account at The Chase Manhattan Bank (Account No:

The above distribution is to be invested in Starjem LLC.

Very truly yours,

Starjem Restaurant Inc.

MARION SCOTTO

#### STATEMENT REGARDING INTERIOR OF PREMISES

Applicant's premises at 40 East 52nd Street, New York, New York was utilized by its prior owner as a retail store and Applicant has not yet transformed this space, as planned, into a restaurant. Hense, Applicant has not submitted interior photographs with this application but will do so upon receipt of the conditional approval of its application.

HE CITY OF NEW YORK



### DEPARTMENT OF BUILDING Sal. B. #13/81 CERTIFICATE OF OCCUPANCY

BOROUGH -- ALLIASTAS

DATE JAN 06 1987 NO.

This certificate supersedes CO No.

ZONING DISTRICT 05-2.5

THIS CERTIFIES that the new - meaning extense building - premises located at 38-46 East 72nd Stiest; 35-47 East 51st Stiest Block 1287 L conforms substantially to the approved Plans and specifications and to the Reduinements of and Rules and Reculations for the uses and decularcies specified merein Lo. 27, 28, 30, 31,

#### PERMISSIBLE USE AND OCCUPANCY

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lst	<b>61.</b>	100/17	200	·		ć	8 C D-2	Tobby, Loading Berth, Offices ketall Space, Janitor Closet Wail Am., Bldg. Manager Office Elec. and Telephone Closets, Urban Plaza
Yeas Yeas		100\200	) 1				D-5	leen. Equipment Rm., Engr. Office and Toilet
2nd cth	tc Floors	50/160	150			6	R D-2	offices, foilets, Janitor's Closet, Blec. and Telepnone Closets, A.C. Fan Room
7th 11th	to Flour	50/130 s	1;+0			6	<u>e</u> D−2	Offices, Tollets, Janitor's Closet, Elec. and Telephone Closets, A.C. Fan Room
12tl: 14th	to Fluor	50/100 s	130			6	D-3	Offices, foilets, Janitor s loset, Elec. and Telephone closets, A.C. Fan Room
15th 15th	to Sloor	50/15c	130			6	D-5	offices, Toilets, Janitor's Closets, Elec. and Telephone Closets, Elevator Eschine Room A.C. Fan Room
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SSVQ	2.700L	8		(36)	I.V.C	77	ガーと	offices, collets, Janitor's
		•				•		Closets, A.C. Fan Room

9: 756 Square Feet: Utbon Plana 4,142
PARKING SPACES LOADING RENTHS, OTHER USES HONE:

no changes of use or occupancy shall be made unless A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED

THIS CENTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND EPECATIONS NOTED ON THE REVERSE SIDE

OFFICE COPY-DEPARTMENT OF BUILDINGS

☐ COPY

B Furn Stillback (R.s. 482)

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CHMITATIONS OR RESTRICTIONS

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CITY PLANNING COMMISSION CALL NO. CHOOPHART.

#### PACE 2 of 2 paper

8 Fain St (Ber. WAS)

#### THE CITY OF NEW YORK



# DEPARTMENT OF BUILDINGS 11.18. #13/82 CERTIFICATE OF OCCUPANCY

JAN 06 1987 ZUNING DISTRICT CF-2.5

This certificate supersedes CO 50

Loi27,28,30,31,

#### PERMISSIRI E INF AND ACTIONNEY

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OPEN	SPACE	uses.
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EPECIFY-PARKING SPACES, LOADING RENTHS, OTHER USES, NOWEL

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS A NEW AMENDED CERTIFICATE OF DECLIPANCY IS OBTAINED

THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND SECUPICATIONS NOTED ON THE REVERSE SIDE.

B Form 54 (Ruck) (Rev. 3 42)

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LIMITATIONS OR RESTRICTIONS:

BOARD OF STANDARDS AND AFFEALS CAL. NO. CITY PLANNING COMMISSION CAL. NO. CYMERS:

#### CERTIFICATION FORM FOR NEW APPLICATIONS

	·
Serial	No NY OP 8460
This is	to certify that I have complied with the following conditions:
1.	That premises are constructed and equipped in accordance with the plans and specifications as approved by the NY State Liquor Authority.
2.	That the premises will be provisioned, staffed and conducted in accordance with the plan of management and /or method of operation submitted with the application to the Liquor Authority.
3.	That the financing of the business, including the construction of the proposed premises, is in accordance with information supplied in support of the application to the Liquor Authority
4	That the premises have been completed and are ready to be open and operated by the applicant.

# RECEIVED

MAR 2 2 1999

#### COMBINED LICENSE

Date March 19, 1999

N.Y. STATE LIQUUR AUTHURITY

Note that you may apply for a new three year license which will authorize you to sell both beer and wine products. If you choose to do so, please submit a certified check, bank check, money order or personal check in the amount of \$255.50 . If you have already paid for a separate Beer License and a Wine Product Permit, the fees for the new combined license have been adjusted in order to reflect only the additional amount due, if any.

Signature

#### LIQUOR AUTHORITY

# IMPORTANT NOTICE TO NEW LICENSEES

### REQUIREMENTS BEFORE A LICENSE MAY BE ISSUED

#### SALES TAX

The New York State Sales Tax Law requires that a person engaging in the sale of products subject to sales tax obtain from the Department of Taxation and Finance a "CERTIFICATE OF AUTHORITY TO COLLECT SALES TAXES". The Law requires that this Certificate be obtained.

Applicants will be required to present a copy of their "CERTIFICATE OF AUTHORITY TO COL-LECT TAXES" to the State Liquor Authority before their license may be issued. Applicants may avoid delay in the issuance of their licenses by presenting a copy of their "CERTIFI-CATE OF AUTHORITY TO COLLECT SALES TAXES" with their initial application for a license.

AGENCY USE

Enter your Certificate # 134011895

	Verified by	Date
		RECEIVED
COMPENSATION INCUPANCE		MAR 2 2 1999
ORKERS COMPENSATION INSURANCE Inder the Workers' Compensation Law, yourse or more employees, or a corporation Disability Benefits insurance policies.	n, unless you have	
erial No NY OP 8460Name	me STARJEM LLC	d/b/a FRESCO ON THE GO
Premises address 40 East 52nd St	treet, New York	New York Zip code 10022
No Yes	te auptoyees of a	
2. If yes, state the following:  WC Policy No.	pany First Car	rdinal Corporation
Eff. Date 3/1/99	, and DB Policy No	
Company U.S. Underwriter's	Indurance Co.	Eff. Date1/20/99
(If answer to question 1 is yes, question submitted to License Processing Unique license.)	tion 2 must be comp it at the appropria	placely filled out. This form must
FORM SLA 180-012 (-1/68)		

New York State Department of Taxation and Finance - Sales Tax

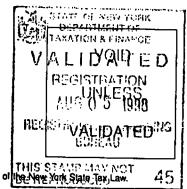
Identification Number

(Use this number on all returns and correspondence)

Certificate of Authority



STARJEM LLC 10 E 52ND ST NEW YORK , NY 10022



is authorized to collect sales and use taxes under Articles 28 and 29 of the Not Transferable

This certificate must be prominently displayed in your place of business listed above.

DTF-17 C (3/97)

This certificate must be prominently displayed in your place of business listed above. Fraudulent or other improper use of this certificate may cause it to be revoked. This certificate may not be photocopied or reproduced.

EXHIBIT 3

R Form 14 (Rev. d/65)

THE CITY OF NEW YORK



# DEPARTMENT OF BUILDING S..... #13/81 CERTIFICATE OF OCCUPANCY

DATE: JAN 06 1987 NO.

This certificate supersedes CO No

ZONING DISTRICT CJ-2.3

THIS CERTIFIES that the new-streets street building-premises located at 30-46 East Jana Street; 39-47 East Fist Street 8000 ы27,28,50,31, 8lock 1267 CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED MEREIN

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no changes of use or occupancy shall be made unless A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED

THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND

SPECIFICATIONS NOTED ON THE REVERSE SIDE.

ORIGINAL OFFICE COPY-DEPARTMENT OF BUILDINGS

COPY

#### THE CITY OF NEW YORK



# DEPARTMENT OF BUILDINGS 1.4. #13/61 CERTIFICATE OF OCCUPANCY

TO

JAN 06 1987 ZONING DISTRICT 07-2.

This certificate supersedes C.O. No.

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#### PERMISSIBLE USE AND OCCUPANCY

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#### STATE OF NEW YORK **EXECUTIVE DEPARTMENT**

#### DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY

84 Holland Avenue Albany, New York 12208

11 Park Place New York, New York 10007

125 Main Street Buffalo, New York 14203

IN REPLYING REFER TO

DEC 2 - 1998 **NOVEMBER 25, 1998** 

MARION SCOTTO 350 EAST 72ND STREET NEW YORK, NY 10021

Re:

NEW YORK OP 8460

STARJEM LLC

DBA: FRESCO ON THE GO 40 EAST 52ND STREET NEW YORK, NY 10022

APPROVAL EXPIRATION DATE: 5/18/99

#### Dear Sir:

The Members of the Authority at their regular meeting held on 11/18/98 approved your application for an ON PREMISES LIQUOR LICENSE waiving requirement of two (2) separate sanitary facilities and subject to submission by you of an affidavit to our LICENSE PROCESSING UNIT, 11 Park Place, New York, NY 10007, 3<sup>rd</sup> floor, indicating compliance with the following conditions:

- 1. That the premises are constructed and equipped in accordance with the plans and specifications as approved by the Liquor Authority.
- 2. That the premises will be provisioned, staffed and conducted in accordance with the plan of management and/or method of operation submitted with the application to the Liquor Authority.
- 3. That the financing of the business, including the construction of the proposed premises is in accordance with information supplied in support of the application to the Liquor Authority.
- . 4. That the premises have been completed and are ready to be opened and operated by the applicant.
  - 5. Subject to submission of two photographs of both the exterior and interior of premises 5"x 7" are to be submitted showing premises open and operating.
  - 6. Subject to submission of SLA FORM 180-12, in duplicate, if you are an employer of one or more employees or a corporation.

DEC 2 - 1998 **NOVEMBER 25, 1998** 

NEW YORK OP 8460 STARJEM LLC DBA: FRESCO ON THE GO

-2-

7. Subject to submission of a valid Certificate of Occupancy reflecting the current use of these premises.

This letter of approval shall be void if you do not comply with the conditions contained in this letter prior to the expiration date set forth above. If you cannot comply within the time allowed, you may send an extension of time. Instructions for making application for an extension of this letter of approval are enclosed herewith.

Very truly yours,

STATE LIQUOR AUTHORITY

BJL:dr

BARBARA JOANNI LORD

SECRETARY TO THE AUTHORITY

**ENCLS.:** 

FORM 2-33 STIPULATION

FROM LB-38 INSTRUCTIONS

FORM 180-12

CC:

ROBERT V. FERRARI, ESQ. 300 EAST 42<sup>ND</sup> STREET NEW YORK, NY 10017

#### NEW YORK STATE LIQUOR AUTHORITY FULL BOARD AGENDA MEETING OF NOVEMBER 18, 1998 REFERRED FROM: LICENSING BOARD

98-4647

REASON FOR REFERRAL

NEW YORK OP 8460 STARJEM LLC DBA: FRESCO ON THE GO 40 EAST 52<sup>ND</sup> STREET NEW YORK, NY 10022

FOR DIRECTION.

FILED: 8/21/98

(NEW)

The Members of the Authority at their regular meeting held at the Zone I New York Office on November 18, 1998 determined:

Robert V. Ferrari, Esq. and Anthony Scotto, Jr., principal, appeared.

Application approved waiving requirement of 2 separate sanitary facilities.

Acting Chairman Kelly and Comm. Gedda present and voting for the above.

1-2

FILE COPY DO NOT REMOVE

BJL:sb

SECRETARY TO THE AUTHORITY

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98-4647

STATE LIQUOR AUTHORITY

Full Board Meeting -----x November 18, 1998

In the Matter of the Application of

STARJEM LLC (NYOP 8460)

for an on premises liquor license at 40 East 52nd Street, New York, New York 10022

-----x

#### MEMORANDUM IN SUPPORT

Starjem LLC d/b/a Fresco On The Go (the "Applicant") has applied for an on premises liquor license and is in the process of constructing a restaurant at 40 East 52nd Street, New York, New York (sometimes known as the "Premises"). The entrance to 40 East 52nd Street is located less than fifty feet from the entrance to Starjem Restaurant Inc. d/b/a Fresco ("Fresco"), an upscale Italian restaurant located at 34 East 52nd Street, New York, New York (see diagram described below as Exhibit B). The Applicant proposes to have one bathroom and Fresco presently provides two bathrooms. The Scotto family are the Members of Applicant and are also the officers, directors and shareholders of Fresco. The Scotto family has operated Fresco for about five years without blemish on its record and with accolades from the food critics.

Referred To: Rec'd By:

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Submitted herewith are the following items which were previously furnished to the State Liquor Authority ("SLA") in support of the application:

Exhibit A - certification in support.

Exhibit B - diagram to bathrooms.

Exhibit C - interior diagram of Applicant's proposed premises.

Exhibit D - New York City Department of Buildings' approval of plans of Applicant for restaurant with one \bathroom.

This application is being submitted to the full Board of the SLA to consider whether to accept the application with one bathroom at the Premises, instead of two bathrooms as required by Section 48.4(d)(2) of the SLA rules.

### Section 48.4(d)(2)

At the outset, it is noted that Section 48.4(d)(2) may be waived by the SLA "provided there is a satisfactory showing that such facilities are in an area adjacent or approximate to the licensed premises and available to the patrons thereof".

It is submitted that given the close proximity of Fresco to the Applicant coupled with the ready availability of Fresco's facilities for the patrons of the Applicant, this exception should be applied here and the requirement of a second bathroom waived (see Exhibit B).

The SLA has previously waived the requirement of two bathrooms at many of the food court restaurants at the World Financial Center because of the existence of public bathrooms at the Center which in many cases are a greater distance than fifty feet. [Applicant will at least have one bathroom at the Premises.]

#### Section 48.9

Alternatively, waiver of the second bathroom is being sought under Section 48.9 of the SLA rules which provides that waiver may be granted by

(b) a showing of hardship, extreme emergency or exceptional circumstances and that such waiver would not be inconsistent with the policy expressed in section 2 of the Alcoholic Beverage Control Law."

The Premises are located on one floor and is less than 3,000 square feet. The major portion of the anticipated business of the Applicant will be take out food during the lunch hour. (Note the trade name "Fresco On The Go"). The area between the seating and the kitchen are counters for food display for patrons to walk by and select what they wish to order. This area is approximately one-third of the space of the Premises. About thirty percent of the Premises in the rear is used for kitchen, office, support and one handicap bathroom. The balance of the Premises is a small bar and nineteen tables with thirty-six indoor seats. As noted from the plan (Exhibit C), the handicap bathroom is by law large enough to accommodate a wheelchair bound customer.

If the Applicant was not required to have a handicap bathroom, two regular bathrooms could have been installed in that space. There is no space in the kitchen or support area that could be given up to install a second bathroom without severely hurting the operation of the business.

A second bathroom could possibly be installed in the area where the tables for dining are located, however, there is no waste line to drain such a bathroom in that area. The waste line in the building runs in the rear area where the handicap bathroom and kitchen are located. To connect a waste line from the seating area to the waste line running under the rear portion of the Premises and to install a second bathroom would incur an expense of more than \$75,000. Moreover, seating would have to be reduced from thirty-six to about twenty-eight. The cost and loss of seating would pose a substantial hardship to the Applicant.

It should also be noted that the bar is not connected to a waste line. The bar only contains a glass washing machine which recycles the water therein and does not require drainage to a waste line.

Accordingly, we submit that Applicant has satisfied the hardship test of Section 48.9(b). The second requirement under the rule is that such waiver would not be inconsistent with the policy expressed in Section 2 of the Alcoholic Beverage Control Law. It appears that having one bathroom or two bathrooms is not relevant in promoting temperance and

determining whether public convenience and advantage will be promoted by the issuance of the license.

#### Department of Buildings' Approval

The building plans for the Applicant have been approved by the New York City Department of Buildings as per Exhibit D, thus evidencing that such plans with one bathroom are in full compliance with the Building Code of the City of New York. (Note last page of Exhibit D which shows that permit could be issued based on plan approval.)

#### Conclusion

In light of the foregoing, the SLA is urged to waive the requirement of a second bathroom for the reason that since the seating is limited to thirty-six, Applicant's customers will not be seriously inconvenienced because there is another bathroom forty-nine feet away or because of the serious hardship to Applicant as to the reduction in seating and cost arising from the installation of a second bathroom.

Additionally, since the Department of Buildings has accepted one bathroom for the Premises, the public policy of the City of New York is being satisfied and, therefore, the SLA should accept the one bathroom at least in this matter.

Thus, the two pronged test under Section 48.9(b) has been satisfied, to wit, there is a hardship and the waiver of the two bathroom rule is not inconsistent with Section 2.

Accordingly, it is respectfully requested that the full Board of the SLA vote to approve the liquor license

application submitted by Starjem LLC with only one bathroom.

Dated: November 16, 1998

ROBERT V. FERRARI Attorney for Applicant 300 East 42nd Street New York, New York 10017

### CERTIFICATION IN SUPPORT OF APPLICATION

ANTHONY SCOTTO, JR., certifies to the New York State Liquor Authority ("SLA") as follows:

- 1. I am a manager/member of Starjem LLC ("Applicant"), the Applicant for an on premises liquor license at 40 East 52nd Street, New York, New York 10022 (the "Premises") and make this certification in support of Applicant's request to waive the requirement of two bathrooms at the Premises.
- 2. I understand that this application is being submitted to the full Board of the SLA because Applicant has only one bathroom at the Premises, instead of two bathrooms as required by Section 48.4(d)(2) of the SLA rules.

#### Section 48.4(d)(2)

- 3. Section 48.4(d)(2) may be waived by the SLA "provided there is a satisfactory showing that such facilities are in an area adjacent or approximate to the licensed premises and available to the patrons thereof".
- of Starjem Restaurant Inc. which owns and operates Fresco, a restaurant at 34 East 52nd Street. The entrance to the Premises is located less than fifty feet from the entrance to Fresco (see diagram annexed as Exhibit A). Both patrons and employees of Applicant will be permitted to utilize Fresco's separate bathrooms.

5. Waiver of the second bathroom is being sought under this rule. The SLA has previously waived the requirement of two bathrooms at many of the food court restaurants at the World Financial Center because of the existence of public bathrooms at the Center which in many cases are a greater distance than fifty feet. [Applicant will at least have one bathroom at the Premises.]

#### Section 48.9

- 6. Alternatively, waiver of the second bathroom is being sought under Section 48.9 of the SLA rules which provides that waiver may be granted by
  - (b) a showing of hardship, extreme emergency or exceptional circumstances and that such waiver would not be inconsistent with the policy expressed in section 2 of the Alcoholic Beverage Control Law."
- of the Premises submitted with the application. As noted, the Premises are located on one floor and is less than 3000 square feet. The major portion of the anticipated business of the Premises will be take out food during the lunch hour. (Note the trade name "Fresco On The Go"). The area between the seating and the kitchen are counters for food display for patrons to walk by and select what they wish to order. This area is approximately one-third of the space of the Premises. About thirty percent of the Premises in the rear is used for kitchen, office, support and one handicap bathroom. The balance of the Premises is a small bar and

ninetean tables with thirty-six indoor seats. As noted from the plan, the handicap bathroom is by law large enough to accommodate a wheelchair bound customer. If the Applicant was not required to have a handicap bathroom, two regular bathrooms could have been installed in that space. There is no space in the kitchen or support area that could be given up to install a second bathroom without severely hurting the operation of the business.

- the area where the tables for dining are located, however, there is no waste line to drain such a bathroom in that area. The waste line in the building runs in the rear area where the handicap bathroom and kitchen are located. To connect a waste line from the seating area to the waste line running under the rear portion of the Premises and to install a second bathroom would incur an expense of more than \$75,000. Moreover, seating would have to be reduced from thirty-six to about twenty-eight. The cost and loss of seating would pose a substantial hardship to the Applicant. The reason for the high cost is the fact that there is another temant occupying the space below the Premises and work on the drain line can only be done during evenings and weekends necessitating overtime charges and delay.
  - 9. It should also be noted that the par is not connected to a waste line. The bar only contains a glass washing machine which recycles the water therein and does

not require drainage to a waste line.

#### Summary

- be take out food. There will only be thirty-six seats at the Fremises which is not a very large number of persons for using only one bathroom. Moreover, the restaurant concept is casual dining and seated customers will be at the Premises most likely for less than an hour which means less use of the bathrooms. [If the objection is to using another store forty-nine feet away and walking outdoors, this objection should not apply to the patrons occupying the sidewalk cafe because they are already outdoors.]
  - 11. It is respectfully requested that the SLA waive the requirement of a second bathroom for the reason that since the seating is limited to thirty-six, Applicant's customers will not be seriously inconvenienced because there is another bathroom forty-nine feet away or because of the serious hardship to Applicant in installing such second bathroom.
  - 12. This affirmation is submitted knowing that the SLA will rely on the truth of the assertions made herein.

    Dated: October 22, 1998

ANTHONY SECTIO, JR

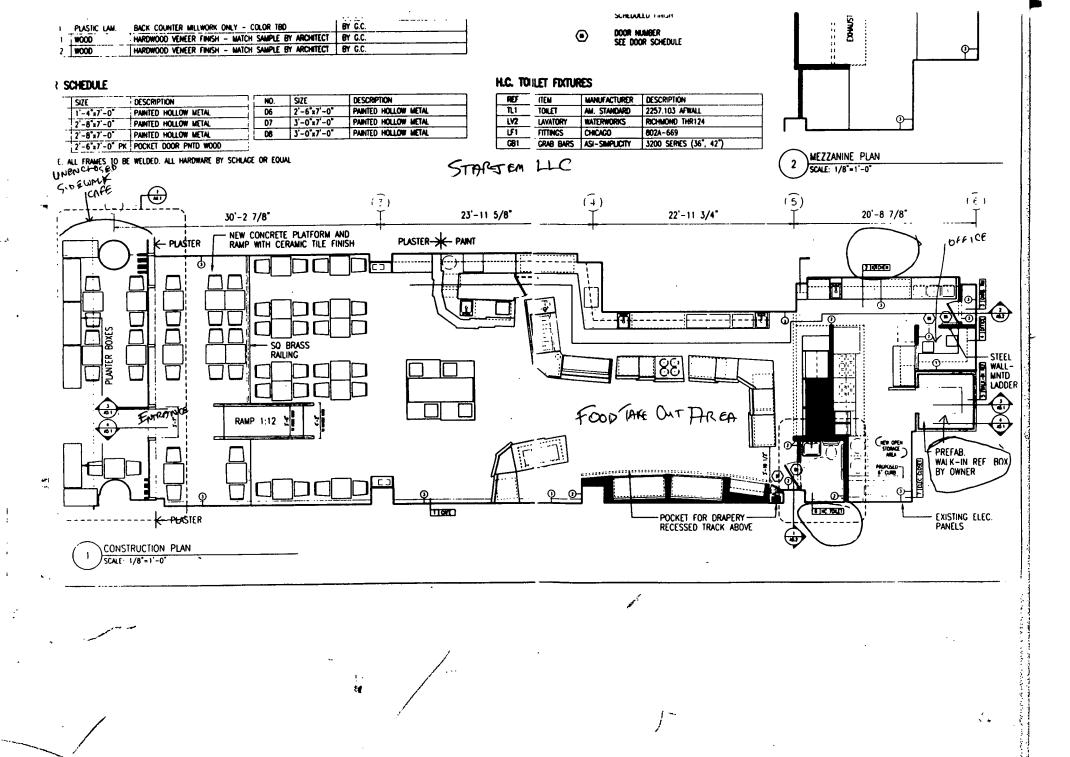


# DIAGRAM TO BATHROOMS

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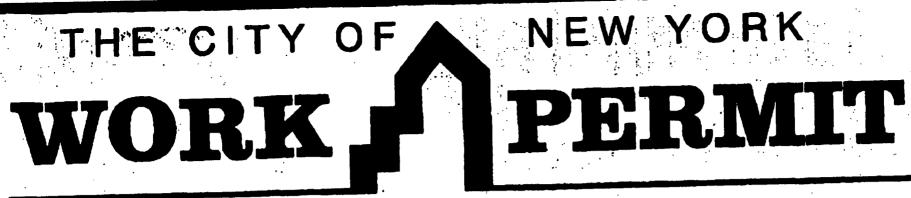
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# DEPARTMENT OF BUILDINGS

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#### **MEMORANDUM**

State Liquor Authority License Bureau

To:

Members of the Authority

From:

Deputy Commissioner Fred J. Gioffre

Subject:

Serial # NEW OP 8460

Starjem LLC

dba: Fresco On The Go 40 East 52nd Street New York, NY 10022 Date: November 5, 1998

REPRESENTATIVE:

Robert V. Ferreri, Esq. 300 East 42nd Street New York, NY 10017

212-972-7040

For Direction: Hardship, premises has only one bathroom applicant requests waiver of second bathroom requirement under Sec. 48.4(d) (2) of ABC Law.

The second bathroom for this premises is located in the applicants other premise Starjem Restaurant Inc., 34 East 52nd Street (NY OP 6650) Approximately 49' down the street.

Premises is located on first floor and is less than 3000 sq. feet. Major portion of business will be take out food during the lunch hour. The area between the seating and kitchen are counters for food display, for patrons to select what they wish to order, is 1/3 of space. 30% of space is kitchen office support and the first handicap bathroom, balance of premises is a small bar, 19 tables and 36 seats.

Affidavit of Anthony Scotto Jr. Attached.

Sussman

KJS/ch

#### ROBERT V. FERRARI

ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017 (212) 972-7040 TELECOPIER (212) 922-1939

RICHARD H. BYRNES

October 23, 1998

RECEIVED

Mr. Ken Sussman State Liquor Authority 11 Park Place New York, New York 10007 OCT 2 6 1998

LICENSE PROCESSING

Re:

Starjem LLC

40 East 52nd Street

New York, New York 10022

Dear Mr. Sussman:

I understand that you have the above application for the purpose of preparing it for the full Board of the SLA.

Enclosed is a further certification in support of the application which argues for an alternative hardship under Section 48.9 of the rules.

I would appreciate your resubmitting the application to the License Board to see whether this certification would allow it to give the waiver. If not, you can then put it on the full Board calendar.

Very best regards.

Sincerely,

Robert V Ferrari

RVF:hm Enclosure By Hand

#### CERTIFICATION IN SUPPORT OF APPLICATION

ANTHONY SCOTTO, JR., certifies to the New York State Liquor Authority ("SLA") as follows:

- 1. I am a manager/member of Starjem LLC ("Applicant"), the Applicant for an on premises liquor license at 40 East 52nd Street, New York, New York 10022 (the "Premises") and make this certification in support of Applicant's request to waive the requirement of two bathrooms at the Premises.
- 2. I understand that this application is being submitted to the full Board of the SLA because Applicant has only one bathroom at the Premises, instead of two bathrooms as required by Section 48.4(d)(2) of the SLA rules.

  Section 48.4(d)(2)
- 3. Section 48.4(d)(2) may be waived by the SLA "provided there is a satisfactory showing that such facilities are in an area adjacent or approximate to the licensed premises and available to the patrons thereof".
- 4. The principals of Applicant are also the principals of Starjem Restaurant Inc. which owns and operates Fresco, a restaurant at 34 East 52nd Street. The entrance to the Premises is located less than fifty feet from the entrance to Fresco (see diagram annexed as Exhibit A). Both patrons and employees of Applicant will be permitted to utilize Fresco's separate bathrooms.

5. Waiver of the second bathroom is being sought under this rule. The SLA has previously waived the requirement of two bathrooms at many of the food court restaurants at the World Financial Center because of the existence of public bathrooms at the Center which in many cases are a greater distance than fifty feet. [Applicant will at least have one bathroom at the Premises.]

#### Section 48.9

- 6. Alternatively, waiver of the second bathroom is being sought under Section 48.9 of the SLA rules which provides that waiver may be granted by
  - (b) a showing of hardship, extreme emergency or exceptional circumstances and that such waiver would not be inconsistent with the policy expressed in section 2 of the Alcoholic Beverage Control Law."
- of the Premises submitted with the application. As noted, the Premises are located on one floor and is less than 3000 square feet. The major portion of the anticipated business of the Premises will be take out food during the lunch hour. (Note the trade name "Fresco On The Go"). The area between the seating and the kitchen are counters for food display for patrons to walk by and select what they wish to order. This area is approximately one-third of the space of the premises. About thirty percent of the Premises in the rear is used for kitchen, office, support and one handicap bathroom. The balance of the Premises is a small bar and

nineteen tables with thirty-six indoor seats. As noted from the plan, the handicap bathroom is by law large enough to accommodate a wheelchair bound customer. If the Applicant was not required to have a handicap bathroom, two regular bathrooms could have been installed in that space. There is no space in the kitchen or support area that could be given up to install a second bathroom without severely hurting the operation of the business.

- 8. A second bathroom could possibly be installed in the area where the tables for dining are located, however, there is no waste line to drain such a bathroom in that area. The waste line in the building runs in the rear area where the handicap bathroom and kitchen are located. To connect a waste line from the seating area to the waste line running under the rear portion of the Premises and to install a second bathroom would incur an expense of more than \$75,000. Moreover, seating would have to be reduced from thirty-six to about twenty-eight. The cost and loss of seating would pose a substantial hardship to the Applicant. The reason for the high cost is the fact that there is another tenant occupying the space below the Premises and work on the drain line can only be done during evenings and weekends necessitating overtime charges and delay.
- 9. It should also be noted that the bar is not connected to a waste line. The bar only contains a glass washing machine which recycles the water therein and does

ZO.9 JATOT

not require drainage to a waste line.

#### Summary

- 10. As noted, the major portion of the business will be take out food. There will only be thirty-six seats at the Fremises which is not a very large number of persons for using only one bathroom. Moreover, the restaurant concept is casual dining and seated customers will be at the Premises most likely for less than an hour which means less use of the bathrooms. [If the objection is to using another store forty-nine feet away and walking outdoors, this objection should not apply to the patrons occupying the sidewalk cafe because they are already outdoors.]
- 11. It is respectfully requested that the SLA waive the requirement of a second bathroom for the reason that since the seating is limited to thirty-six, Applicant's customers will not be seriously inconvenienced because there is another bathroom forty-nine feet away or because of the serious hardship to Applicant in installing such second bathroom.
- 12. This affirmation is submitted knowing that the SLA will rely on the truth of the assertions made herein.

Dated: October 22, 1998

ANTHONY SECTIO. JR

# DIAGRAM TO BATHROOMS

STARSEM RESIDUR. DISHA FRESCO	34 E 52 1 E 65T 1 149' 57 EET
APPLICANT	40 East 52

ZONE:\_\_\_\_\_\_ COO....\_\_\_\_ FEE:\_\_\_\_\_ AUDITED B1.\_\_\_\_\_

#### ROBERT V. FERRARI

ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017 (212) 972-7040 TELECOPIER (212) 922-1939

September 25, 1998

RICHARD H. BYRNES

Mr. Mike Sikowsky Senior Investigator State Liquor Authority 11 Park Place New York, New York 10007

> Re: Starjem LLC

40 East 52nd Street New York, New York 10022

Dear Mr. Sikowsky:

This is to confirm our telephone conversation today during which you informed me that the fact that there is only one bathroom on the applicant's premises poses a problem for approval, even though two additional bathrooms are offered at the premises 49 feet away owned by the applicant's principals.

Enclosed is a copy of Section 48.4(d)(2) of the SLA rules and regulations which provides that the requirement of two bathrooms may be waived by the Authority "provided there is a satisfactory showing that such facilities are in an area adjacent or proximate to the licensed premises and available to the patrons thereof".

It is the contention of the applicant that the other premises meet this standard for waiver.

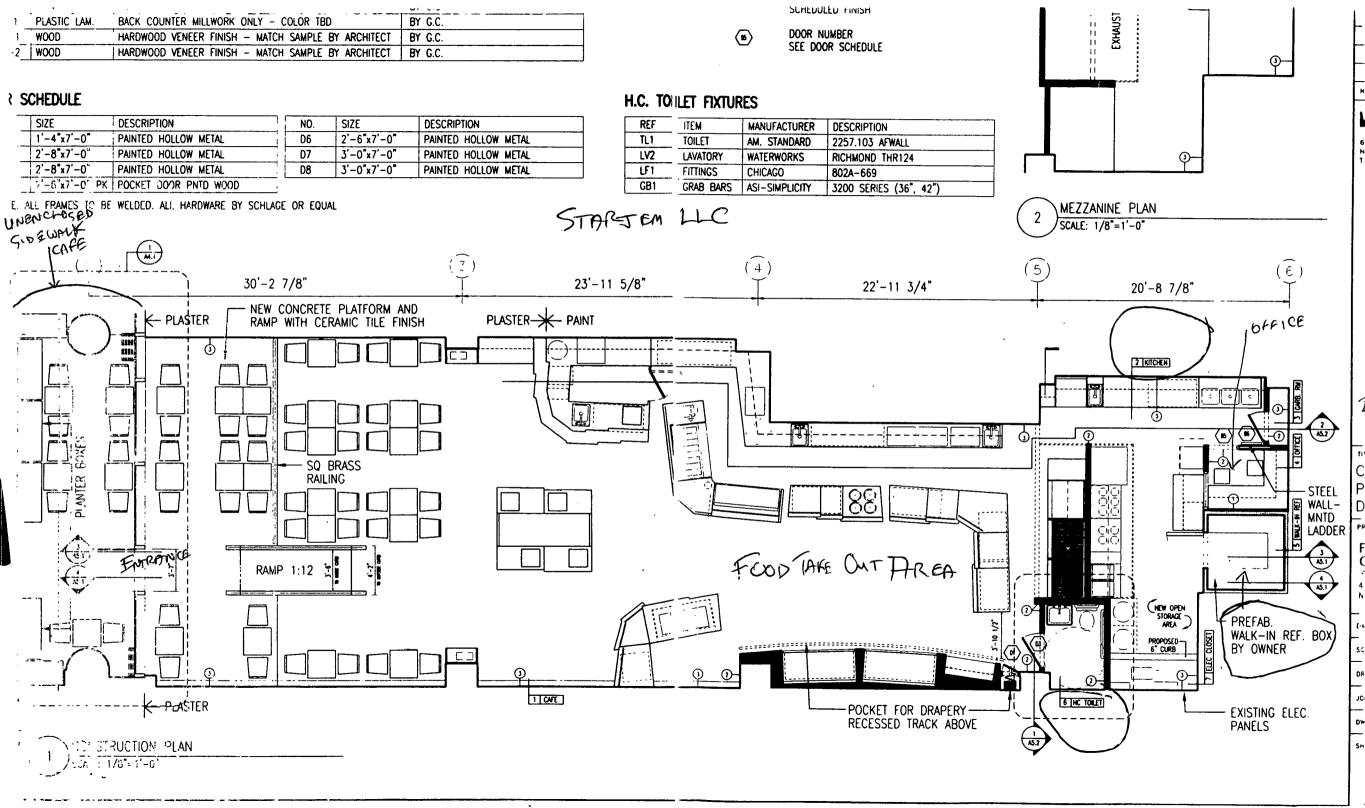
Accordingly, it is requested that in the event that the License Bureau will not approve the application based on the aforesaid rule, that the application be submitted to the full Board for consideration. In the event such submission to the full Board is made, I would greatly appreciate notice so that myself and principals of the applicant may attend the meeting.

Robert V. Ferrari

Enclosure

cc: Mr. Anthony Scotto w/encl.

Lice Per \_\_\_\_ LICENSE DUARD





# STATE OF NEW YORK EXECUTIVE DEPARTMENT

#### **DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

84 Holland Avenue Albany, New York 12208 11 Park Place New York, New York 10007 125 Main Street Buffalo, New York 14203

IN REPLYING REFER TO

DEC 2 - **1998** NOVEMBER 25, 1998

MARION SCOTTO 350 EAST 72<sup>ND</sup> STREET NEW YORK, NY 10021

Re: NEW YORK OP 8460

STARJEM LLC

DBA: FRESCO ON THE GO 40 EAST 52<sup>ND</sup> STREET NEW YORK, NY 10022

APPROVAL EXPIRATION DATE: 5/18/99

Dear Sir:

The Members of the Authority at their regular meeting held on 11/18/98 approved your application for an ON PREMISES LIQUOR LICENSE waiving requirement of two (2) separate sanitary facilities and subject to submission by you of an affidavit to our <u>LICENSE PROCESSING UNIT</u>, 11 Park Place, New York, NY 10007, 3<sup>rd</sup> floor, indicating compliance with the following conditions:

- 1. That the premises are constructed and equipped in accordance with the plans and specifications as approved by the Liquor Authority.
- √2. That the premises will be provisioned, staffed and conducted in accordance with the plan of management and/or method of operation submitted with the application to the Liquor Authority.
- 73. That the financing of the business, including the construction of the proposed premises is in accordance with information supplied in support of the application to the Liquor Authority.
- 1. That the premises have been completed and are ready to be opened and operated by the applicant.
- 5. Subject to submission of two photographs of both the exterior and interior of premises 5"x 7" are to be submitted showing premises open and operating.
  - Subject to submission of SLA FORM 180-12, in duplicate, if you are an employer of one or more employees or a corporation.

NEW YORK OP 8460 STARJEM LLC DBA: FRESCO ON THE GO NOVEMBER 25, 1998

-2-

Subject to submission of a valid Certificate of Occupancy reflecting the current use of these
premises.

This letter of approval shall be void if you do not comply with the conditions contained in this letter prior to the expiration date set forth above. If you cannot comply within the time allowed, you may send an extension of time. Instructions for making application for an extension of this letter of approval are enclosed herewith.

Very truly yours,

STATE LIQUOR AUTHORITY

BJL:dr

BARBARA JOANNI LORD SECRETARY TO THE AUTHORITY

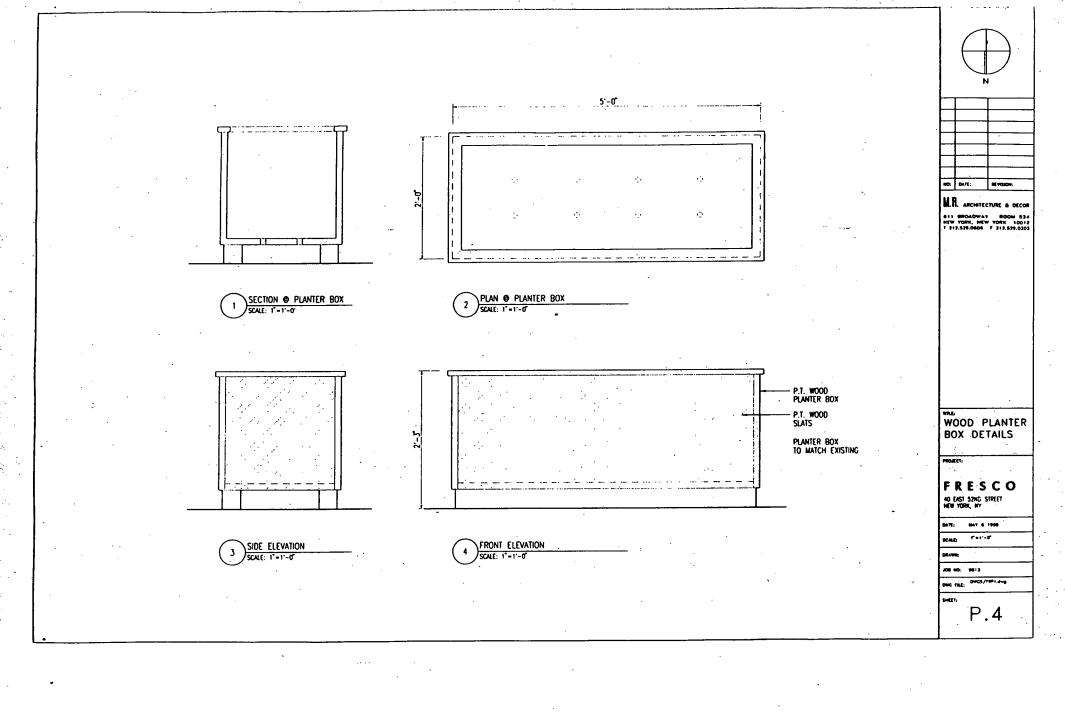
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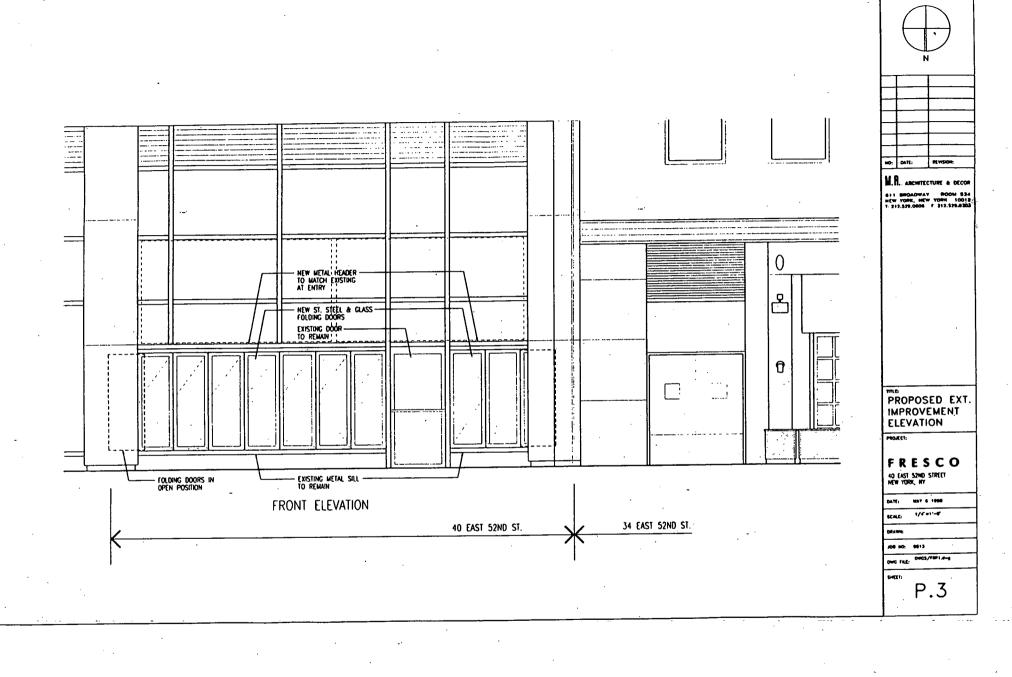
FORM 2-33 STIPULATION FROM LB-38 INSTRUCTIONS

FORM 180-12

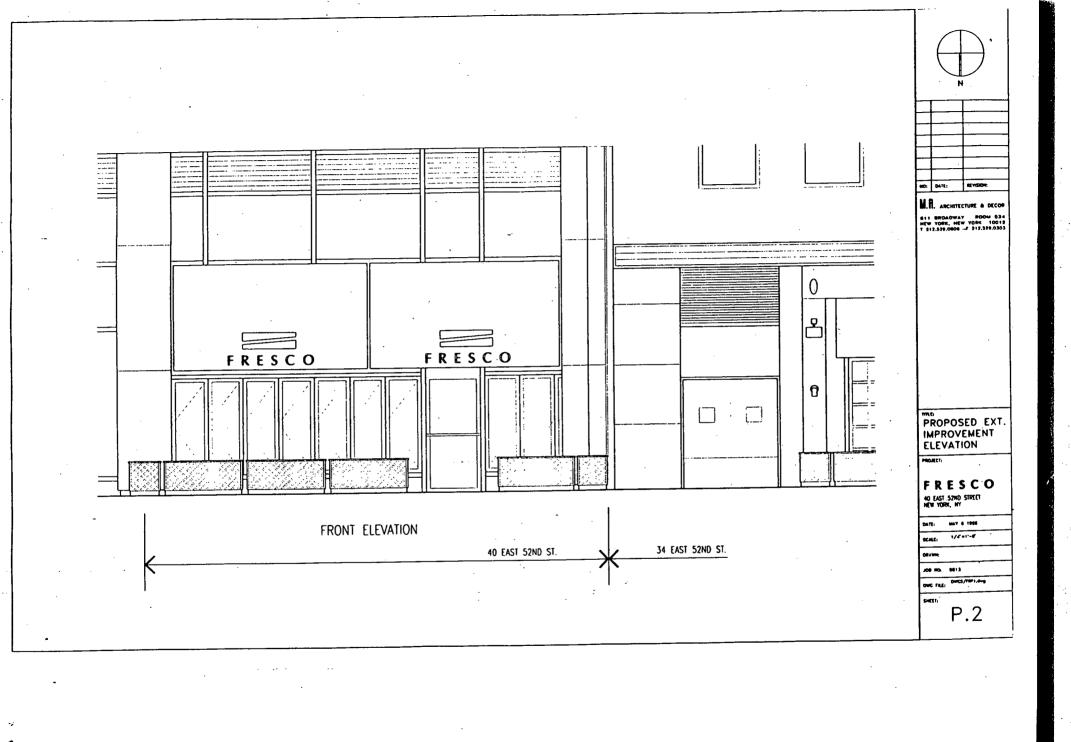
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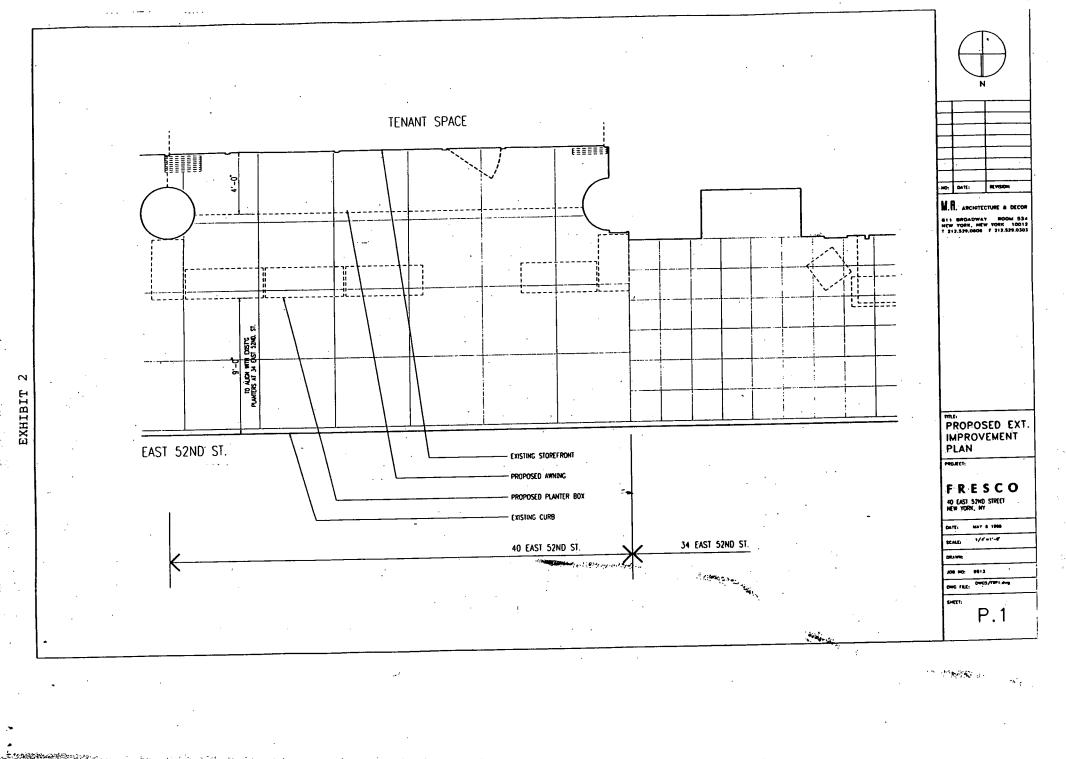
ROBERT V. FERRARI, ESQ. 300 EAST 42<sup>ND</sup> STREET NEW YORK, NY 10017





:6

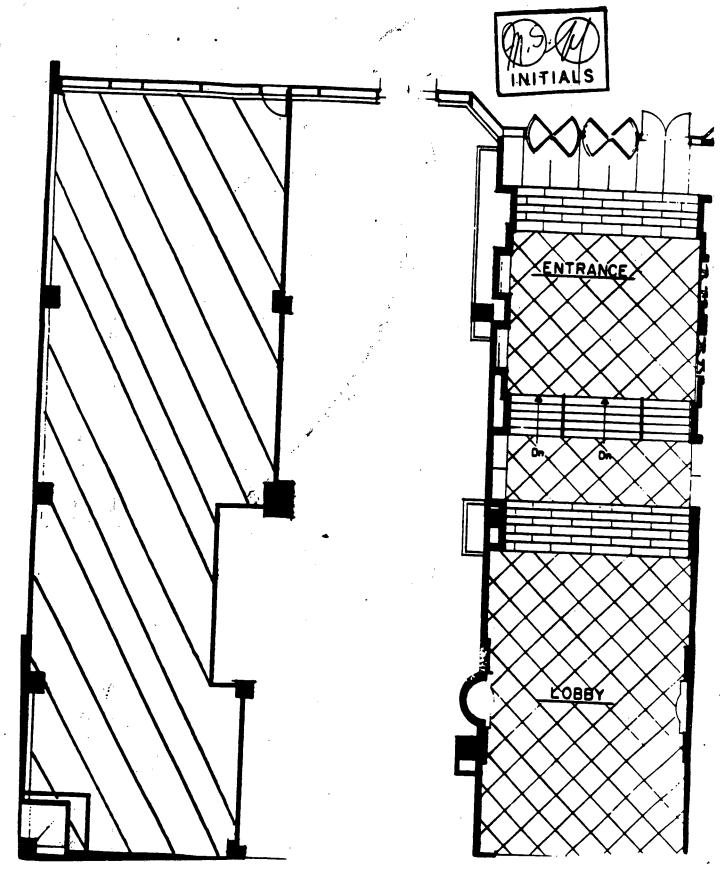




#### EXHIBIT I

This floor plan of a portion of the street level store in the Building known as 40 East 52nd Street, New York City, is annexed to this Lease and is made a part hereof solely to delineate by outlining and diagonal markings the Demised Premises. All areas, dimensions, conditions and locations are approximate.





·	BANK	
MADI	SON AVENUE-	•
	BATH ≯	
•	2 HOP B001	
	BAKERY-SALAO BAR- GROLERY-DELI	
	# UNAVAILA BLE FRESCO RESTAVRANT	-
	34 E. 52ML STREET	
	ENTRANCE SERVICE BUILDING	
	APPLICANT	-
	GYM HEALTH	
	OFFICE BUILDING EMTRAMIF	
	OPTICAL	
	GARAGE	
	INVESTMENTS	
:	:	
- PARH	AVENUE-	:
		i

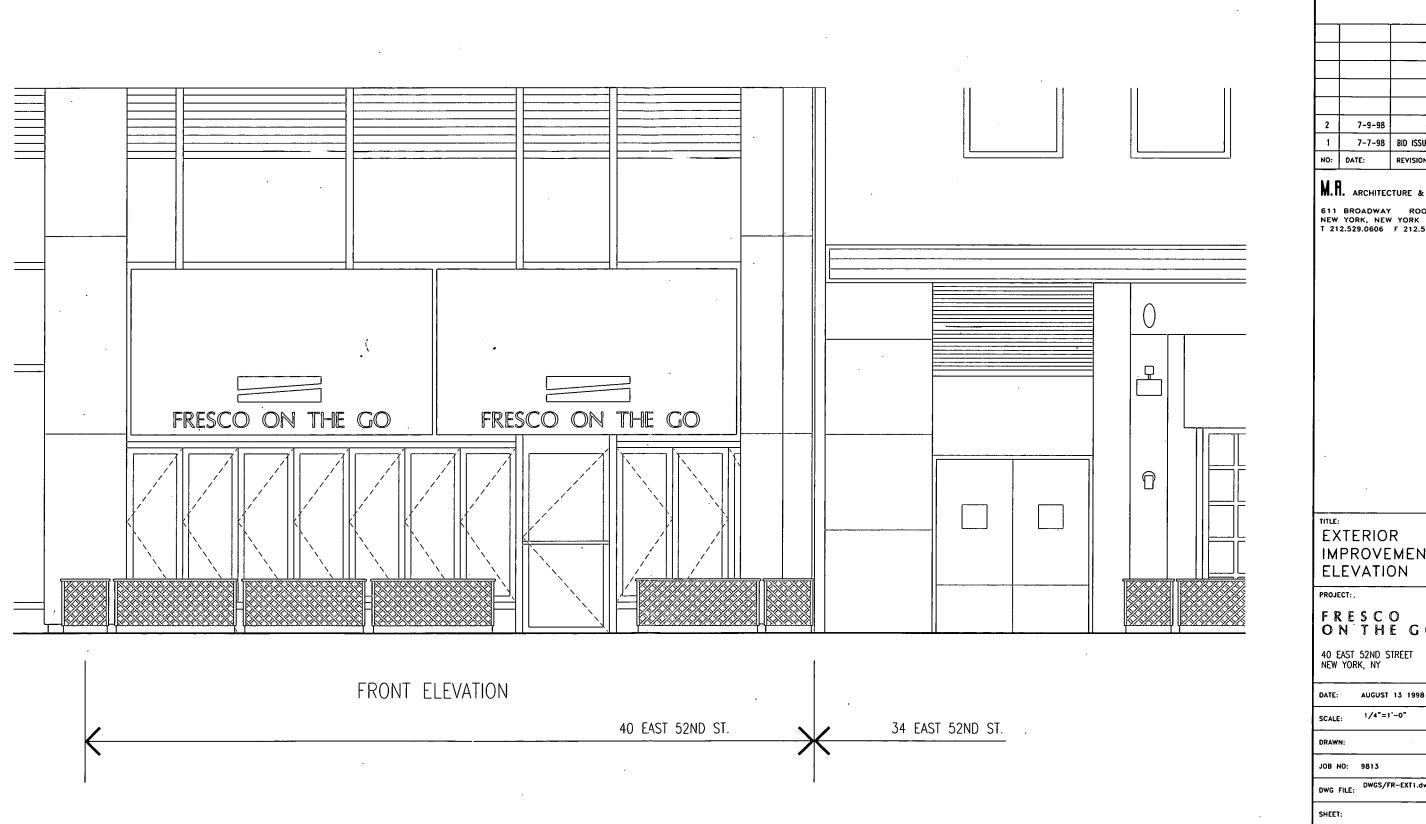
BANK

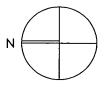
- EAST 52 M STRFFT-

OMNI BERKSHIRE				
PLACE- HUTEL				
WATCHES-				
JEWELRY				
OPTICIANS				
BUILDING SERVICE ENTRANCE			•	
PHARMACY				
OFFICE BUILDING	JVLY B. 1	NEW YOR	40 EAST	AREA SURVEY
CLOTHING	8. 1998: NOT-TO- SI	YORK. N. Y.	12	RVEY
-ATRIVM- -SHOPS-	OT-TO- SCALE-		STREET	STARTEM LLO
				( )
DRIVEWAY				
BANK	•			

OFFICE BUILDING

#### FINISH SCHEDULE **LEGEND** ITEM DESCRIPTION REF. TELEPHONE CERAMIC BASE 5" BASE (BS) ROCKS BY COLORMASSA, COLOR 11072 URALI 212-979-6400 by STONE SOURCE 2 KITCHEN ROOM NUMBER & NAME B-1 212-979-6400 by STONE SOURCE CT-1 CERAMIC TILE 15"x15" ROCKS BY COLORMASSA, COLOR 11072 URALI 1 NEW FURRED PARTITION GLASS 1/4" THICK CLEAR SNEEZE GUARDS GL-1 BY G.C. LAYER 5/8" BYP BD ON 7/8" MTL TESSERA RECYCLED IRIDESCENT TILE COLOR: AMBER 09 GT-- 1 GLASS TILE 212-255-4450 by TILES STUDS M-1 METAL BRASS BY G.C. NEW FULL HEIGHT PARTITION 2 LAYERS OF 5/8" GYP BD EACH SIDE GLAZE PLASTER 7394 YELLOW OCHRE STONE PA-1 PLASTER 212-966-0676 by FRESCO PAINT BY G.C. OF 3-5/8" MTL STUDS P-2 PAINT BY G.C. BM REPAIR OR LAMINATE EXISTING GYPSUM BD P-3 PAINT ВМ BY G.C. PARTITION TO RECEIVE NEW SMOOTH P-4 PAINT BY G.C. SCHEDULED FINISH PL-1 PLASTIC LAM. BACK COUNTER MILLWORK ONLY - COLOR TBD BY G.C DOOR NUMBER (15) WD-1WOOD HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT BY G.C. SEE DOOR SCHEDULE 7-9-98 WD-2 WOOD HARDWOOD VENEER FINISH - MATCH SAMPLE BY ARCHITECT BY G.C. 3-7-7-98 BID ISSUE DATE: REVISION: DOOR SCHEDULE H.C. TOILET FIXTURES M.H. ARCHITECTURE & DECOR SIZE DESCRIPTION SIZE DESCRIPTION ITEM MANUFACTURER DESCRIPTION NO. 2'-6"x7'-0" 611 BROADWAY ROOM 534 1'-4"x7'-0" PAINTED HOLLOW METAL D6 PAINTED HOLLOW METAL AM. STANDARD 2257.103 AFWALL TL1 TOILET NEW YORK, NEW YORK 10012 T 212.529.0606 F 212.529.0303 2'-8"x7'-0" D2 PAINTED HOLLOW METAL D7 3'-0"x7'-0" PAINTED HOLLOW METAL LV2 LAVATORY WATERWORKS RICHMOND THR124 D3 2'-8"x7'-0" PAINTED HOLLOW METAL D8 3'-0"x7'-0" PAINTED HOLLOW METAL FITTINGS CHICAGO 802A-669 LF1 2'-6"x7'-0" PK POCKET DOOR PNTD WOOD 3200 SERIES (36", 42") GB1 GRAB BARS ASI-SIMPLICITY NOTE: ALL FRAMES TO BE WELDED. ALL HARDWARE BY SCHLAGE OR EQUAL MEZZANINE PLAN SCALE: 1/8"=1'-0" 6 30'-2 7/8" 23'-11 5/8" 22'-11 3/4" 20'-8 7/8" NEW CONCRETE PLATFORM AND PLASTER—— PAINT PLASTER RAMP WITH CERAMIC TILE FINISH (3) 2 KITCHEN ENTERIOR DIAGRAM SQ BRASS CONSTRUCTION **RAILING** PLAN & WALL-DOOR SCHEDULE MNTD PROJECT: 27, LADDER FRESCO ON THE GO 1 A4.2 STARJEM LLC RAMP 1:12 40 EAST 52ND STREET NEW YORK, NY NEW OPEN STORAGE -AREA PREFAB. AUGUST 13 1998 DATE: WALK-IN REF. BOX PROPOSED — 6" CURB BY OWNER SCALE: 1/8"=1'-0" (В DRAWN: AM/RP JOB NO: 9813 5 [HC TOILET] 1 CAFE <del>K-</del>PLASTER POCKET FOR DRAPERY EXISTING ELEC. DWG FILE: DWGS/FR-PLAN.dwg RECESSED TRACK ABOVE PANELS SHEET: CONSTRUCTION PLAN A1.1 SCALE: 1/8"=1'-0"





2	7-9-98	
1	7-7-98	BID ISSUE
NO:	DATE:	REVISION:

M.A. ARCHITECTURE & DECOR

611 BROADWAY ROOM 534 NEW YORK, NEW YORK 10012 T 212.529.0606 F 212.529.0303

EXTERIOR IMPROVEMENT ELEVATION

FRESCO ON THE GO

1/4"=1'-0"

JOB NO: 9813

DWG FILE: DWGS/FR-EXT1.dwg

A4.2

#### NOTIFICATION RIDER TO APPLICATION

### All applicants for On Premise Liquor Licenses, MUST complete Section C.

#### NOTICE TO MUNICIPALITY/COMMUNITY BOARD

You are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of an application for a license to sell liquor at retail for consumption on the premises, to promptly notify, in writing, the Clerk of the Village, Town or City wherein the premises are located of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

#### CERTIFICATION RIDER TO APPLICATIONS

AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.  *The original receipt and a copy of the letter sent to the municipality must be presented when you file your		fy that I have complied with the requirements of Section 64, Subdivision 2a of the Alcoholic Beverage Contribution of the Alcoholic Bev	-
Manhattan  NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD  AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION  OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.  *The original receipt and a copy of the letter sent to the municipality must be presented when you file your		·	-
NOTE: FAILURE TO NOTIFY THE APPROPRIATE MUNICIPALITY OR COMMUNITY BOARD AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICATION OR RENEWAL MAY RESULT IN A DELAY IN PROCESSING YOUR APPLICATION.  *The original receipt and a copy of the letter sent to the municipality must be presented when you file your	•	· · · · · · · · · · · · · · · · · · ·	<b>&gt;</b>
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	NOTE:	AT LEAST THIRTY (30) DAYS PRIOR TO THE SUBMISSION OF YOUR APPLICA	TION
application. Copies of the receipt will not be accepted.	, -	nal receipt and a copy of the letter sent to the municipality must be presented when you fil.  Copies of the receipt will not be accepted.	e your

#### PHONE LISTINGS FOR NEW YORK CITY RESIDENTS

If you are unsure of which community board serves the area in which your premises are located, call the number listed below for the office of your Borough President:

13

<u>Manhattan</u>	<u>Bronx</u>	<u>Queens</u>	Staten Island	<u>Brooklyn</u>
212-669-8300	718-590-3500	718-286-2900	718-816-2200	718-802-3700

FORM: SLA APP. (REVISED 10/97)

### US Postal Service Receipt for Certified Mail No Insurance Coverage Provided.

Do not use for International Mail (See reverse) Sent to

,32

1.35

COMMUNITY BOARD #5 Species Namber enth Avenue Suite 2109 Post Office, State, & ZIP Code

New York, New York 10001 \$ Postage

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered Return Receipt Showing to Whom Date, & Addressee's Address

PS Form 3800, April Date & Address
TOTAL Postage & Fees

Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).

- 1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service
- window or hand it to your rural carrier (no extra charge).

  2. If you do itotyvant this receipt postmarked, stick the gummed stub to the right of the return address of the article; date, detach, and retain the receipt, and mail the article.

  3. If you want a return receipt, write the certified mail number and your name and address
- on a return receipt card, Form 3811 and attach it to the front of the article by means of the gummed ends it space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.
- 4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
- 5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
- -6. Save this receipt and present it if you make an inquiry.

## ROBERT V. FERRARI

ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017 (212) 972-7040 TELECOPIER (212) 922-1939

RICHARD H. BYRNES

August 19, 1998

Community Board #5 450 Seventh Avenue Suite 2109 New York, New York 10001

Re:

Starjem LLC

d/b/a Fresco on the Go 40 East 52nd Street New York, New York 10022

ery truly yours

Ferrari

Dear Sir/Madam:

As attorney for the above restaurant, I am advising you that Starjem LLC intends to apply to the State Liquor Authority for an on premises liquor license at the above location. The owners of Starjem LLC also own and operate Fresco, a fine dining establishment located at 34 East 52nd Street.

Notice is hereby given pursuant to the Alcoholic

Beverage Control Law.

RVF:hm

Via Certified Mail, Return

Receipt Requested

### ROBERT V. FERRARI ATTORNEY AT LAW

300 EAST 42ND STREET, NEW YORK, N.Y. 10017 (212) 972-7040 TELECOPIER (212) 922-1939

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Notice is hereby given pursuant to the Alcoholic

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RVF:hm Via Certified Mail, Return

Receipt Requested

ery truly yours









#### STATE OF NEW YORK - LIQUOR AUTHORITY Renewal Application (Directions for Completion enclosed) License fee: 3,400.00 SPECIAL MAILING REQUEST: Complete if you want 90,00 Filing fee: your license mailed to an alternate address: 3,490.00 Total fee due: Due now if choosing installment option: 1 790 00 051691 New effective date: 03/01/2001 New expiration date: 02/28/2003 FELECIA POLLE STARJEM LLC FRESCO ON THE GO **40 E 52ND STREET** RECEIVED JAN 3 0 2001 NEW YORK, NY 10022 NEW SERIAL#: 1027037 OLD SERIAL#: 011NEWOP0008460252 DATA ENTERED 40 E 52ND STREET NEW YORK, NY 10022 Make sure all names and address information is correct, if not make the necessary changes on the reverse side. ALL QUESTIONS MUST BE ANSWERED. Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation No If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority write "YES" in Box #1 and set forth details of changes in facts in the appropriate schedules A and/or B on the reverse side. If no changes in facts have occurred, write "NO" in Box #1. YES NO State whether said licensed business presently is regularly kept open and operated by the applicant. 2. 🛛 If your premises are closed, state whether your license certificate is deposited in safekeeping with the 3. 🗆 appropriate zone office APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE. APPLICANT HEREBY AGREES THAT ANY APPLICATION FILED UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY ANY PERSON HAVING ANY INTEREST, DIRECT OR INDIRECT, EITHER IN THE PREMISES OR IN THE BUSINESS TO BE LICENSED. FOR ANY LICENSE OR PERMIT, SHALL BE DEEMED AND MADE A PART HEREOF AND CONSIDERED BY THE STATE LIQUOR AUTHORITY IN ACTING UPON THIS APPLICATION. THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of PARTNERSHIP INDIVIDUAL APPLICANTS AND EACH MEMBERS OF PARTNERSHIP COMPLETE THIS SECTION. The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority Date (Signature of licensee(s)) (Residence) (Home Phone) THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION CORPORATE OFFICER COMPLETE THIS SECITON ELAINA SCOTTO-FAUCETTA certifies that he is LLC MEMBER (Title) of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority. 1/25/01 Dated 360 East 88th Street, New York, NY 10028 (Signature of authorized officer) (Residence) (Home Phone) (212) 826-3687

DISAPPROVED

S.L.A. BY

Form #1016 SLA (Revised 5/00)

**APPROVED** 

DATE

# STATE OF NEW YORK - LIQUOR AUTHORITY (Renewal Application)

Street address of premises to be licensed			Post of	fice address of prem	ises (If different)		
•							
City, town or village - Zip Code	·	Telephone N	umber	City, to	wn or village - Zip Co	ode (If different)	
	•						
Landlord Name				Landlo	d Address		
a. If you answered ye	s to Question 1, o	n the reverse	, comple	te the a	opropriate sched	ule "A" or "B".	
of the application i	or the currently he	eld license ar	nd have r	ot been	reported to the A	ons which have oc authority or having	curred since the signi g been reported had n
been acknowledge Name of Defendant		n with Busines	s	eded, at	Crime or Offense	Date	Disposition in Each case
***************************************		, , , ,					
•							
	4 ((7))						
b. Use this schedu had not been repor forms. If more spa	ted to the Authorit	y or having b	een repo	rted, had	ans and/or such	"changes" (other wledged by the Au	than arrests, etc.) whithority. (See instruction
Nature	of Change		Da	ate Details			
						,	
· · · · · · · · · · · · · · · · · · ·							
	NOTIF	ICATION RII	DER TO	RENEW	/AL APPLICATI	ON	
	ON PREMISES L	IQUOR LIC	ENSEES	ONLY	MUST COMPLETE	THIS SECTION	
	NO	TICE TO MUI	NICIPALI	TY/COM	MUNITY BOARD		
ou are required by the Alcoholic onsumption on the premises, to state Liquor Authority not less the community board with juris eceipt requested.	promptly notify, in wr	iting, the Clerk of the submission	of the Villagor of your ap	ge, Town oplication t	or City wherein the p o the Authority.  In th	remises are located one City of New York, s	of your application to the such notification is to be se
		CERTIFICA	TION RIDE	R TO API	PLICATIONS		
hereby certify that I have compl pplication-to-become licensed, I n New York City, the Clerk of Co	lied with the requirement by certified mail, return community Board #	ents of Section of Section of Section of Section 1997.	64, subdivi uested to so prough of _	sion 2a of the Clerk of Manhat	the Alcoholic Bever of the City, Town, Vil tan	age Control Law, and lage (circle one) of where the pren	have sent notification of r
FRESCO ON THE GO							
rade Name						-	
40 East 52nd Stree	et, New York,	New York	10022	2			<del> </del>
	Plaina Scotto-Faicetta 1027037						
Yana Scotto-	Faercella	102	7037			1/25	/01

You must keep the certified mail receipt for your records!

#### EXCISE BOND UNDERWRITERS

100 WILLIAM STREET • NEW YORK, N.Y. 10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

LIQUOR

**BOND EXPIRES IN** 

BOND NUMBER

001--15

Bond Form L-9 Prescribed by

November 1963

New York State Liquor Authority

X-B12868--00

FEBRUARY,

. Penal Sum of Bond

KNOW ALL MEN BY THESE PRESENTS, that we,

1,000 and Plus Costs

Name of Applicant

Address of Place of Business

STARJEM LLC FRESCO ON THE GO 40 EAST 52ND STREET

NEW YORK

NY 10022

In the county of NEW YORK having an office and usual place of business at

State of NEW YORK as Principal, and GREAT AMERICAN INSURANCE COMPANY

5 DAKOTA DRIVE

LAKE SUCCESS

NY 00000

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 25 day of 3 AWU ARY.

GREAT AMERICAN INSURANCE COMPANY

APPLICANT MUST SIGN HERE

DATA ENTERED

Attorney-in-fact

(OVER)

FORM 21

Bond Form L-9 Prescribed by the New York State Liquor Authority November 1963

## BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

#### CONDITIONS

- 1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
- 2. The aggregate liability of the surety on account of any and all defaults hereunder shall-in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
- 3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
- 4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
- 5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
- 6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
- 7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

· AU

003 1 NEW OP 8460



THE LICENSER DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ACCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OF TO ANY OTHER THIS LICENSE SHALL NOT BE THANSPERABLE TO ANTI STREET SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

CERTIFICATE NUMBER

FILING FEE

STARJEM LLC FRESCO ON THE GO

40 E 52ND STREET

NY

NEW YORK

10022

Edward F. Kelly

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THÉREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (11/99)

# EXECUTIVE DEPARTMENT DIVISION OF ALCOHOLIC BEVERAGE CONTROL

	When making inquiry, please refer to date bel-
TO THE LICENSEE	Zone 1 County New Class 25
Please be advised that an AUTHORIZATION FOR REFUND OF OVERPAYMENT, described	Refund Request No.
herein, is being processed for payment.	Sheet No. N693
	Date: MAY 2 1 1939
	. Serial No.: 1 OP 8460
	License Cert. No.:
To: COMPTROLLER  Payment is herewith authorized to the below described	1. Date application filed: 8/21/98
Licensee.	2. FEES RECEIVED:
LICENSEE (Name and Address)	(a) Deposit dates (all) _ <u>9/26/98</u>
Comments (Control of Control of C	(b) Filing Fee (amount) \$ 100.00
Starjem LLC c/o Marion Scotto	(c) Consumer Fees, etc. (If any-total)
	\$
	(d) License fees receive (Total-exclusive of filing and consumer fees <u>\$ 5100.00</u>
	and
	number of full months such license fees represent <u>36</u>
ATTORNEY OF RECORD (Name and Address)	3. Date Notice of Approval sentn/a
	4. Date License issued (or effective) 3/22∯99
·	Number of months (including month of issue or effective) to expiration
	(minimum 6 months) 24
	and amount of money such months represents <u>\$3400.00</u>
	6. Amount of refund \$1700.00
	no refund has previously been approved on account of said overpayment.  STATE OF LIQUOR AUTHORITY  by:

# **New York State Liquor Authority**

11 Park Place Third Floor New York, NY 10007 (212) 417-4014 Fax: (212) 417-4910

RE: AUTHORIZATION FOR REFUND OF OVERPAYMENT	When making inquiry, please refer to Data below.
Date:	Refund Request No Sheet No Serial No.
TO THE LICENSEE:	License Certificate No. 107 7460  1. Date Application Filed
Please be advised that an AUTHORIZATION FOR REFUND OF OVERPAYMENT, described herein, is being processed for payment.	2. FEES RECEIVED  (a) Deposit dates (all)  (b) Filing Fee \$  (c) Consumer Fees, etc (if any)  \$
	(d) License Fees Received  (exclusive of b & c above)  \$
TO: COMPTROLLER	<ul> <li>3. Date Notice of Approval sent N/A</li> <li>4. Date License Issued/Effective 3/19</li> </ul>
Payment is hereby authorized to:	5. Number of months (including month of issue/effective) to Expiration
LICENSEE (Name and Address)	(minimum 6 months)  Amount of money such months represent
Hayem Classon Collo	6. AMOUNT OF REFUND \$
	No refund has previously been approved On account of said overpayment.
ATTORIXEY OF RECORD (Name and Addess)	STATE LIQUOR AUTHORITY

### STATE OF NEW YORK - LIQUOR AUTHORITY

Renewal Application (Directions for Completion enclosed) Filing fee: 90.00 SPECIAL MAILING REQUEST: Complete if you want Total fee due: your license mailed to an address other than the 4,442.00 RECEIVED FEB 1 9 2003 licensed premises address: New effective date: New expiration date: STARJEM LLC 1143020 FRESCO ON THE GO 40 E 52ND STREET NEW YORK, NY 10022 NEW SERIAL#: 1027037 OLD SERIAL#: 031NEWOP0008460252 40 E 52ND STREET NEW YORK, NY 10022 Make sure all names and address information is correct, if not make the necessary changes on the reverse side. ALL QUESTIONS MUST BE ANSWERED. Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation. NO If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority write "YES" in Box #1 and set forth details of changes in facts in the appropriate schedules A and/or B on the reverse side. If no changes in facts have occurred, write "NO" in Box #1. YES NO State whether said licensed business presently is regularly kept open and operated by the applicant. 2. 🛛 Not If your premises are closed, state whether your license certificate is deposited in safekeeping with the Applicable appropriate zone office of the NYS Liquor Authority  $\Box$ ٦П п APPLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS. ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE. APPLICANT HEREBY AGREES THAT ANY APPLICATION FILED UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW BY ANY PERSON HAVING ANY INTEREST, DIRECT OR INDIRECT. EITHER IN THE PREMISES OR IN THE BUSINESS TO BE LICENSED, FOR ANY LICENSE OR PERMIT, SHALL BE DEEMED AND MADE A PART HEREOF AND CONSIDERED BY THE STATE LIQUOR AUTHORITY IN ACTING UPON THIS APPLICATION. THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of A PARTNERSHIP INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION. The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority. (Signature of licensee(s)) (Address) (Home Phone) THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION CORPORATE OFFICER COMPLETE THIS SECTION SCOTTO - FAUCETIA MEMBER certifies that he is \_ (Title of Corporate Officer) of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority. 360 E. 88TH STREET, NY NY 10028 (Signature of authorized officer) (Address and Home Telephone) DATE APPROVED DISAPPROVED S.L.A. BY Form#1016

SLA(Revised04/2001)

# STATE OF NEW YORK - LIQUOR AUTHORITY (Renewal Application)

Street address of premises to	be licensed			Post o	ffice address of prem	rises (If different)	
City, town or village - Zip Code	}	Telephone N	Number	City, to	own or village - Zip C	ode (If different)	
Landlord Name			· · · · · · · · · · · · · · · · · · ·	Landio	rd Address		
use this sched use this sched of the application been acknowledge	ule "A" to set forti	n details of a	rrests, sui	mmonse ot been	es and/or conviction	ons which have o	ccurred since the sigr g been reported have
Name of Defendant		n with Busine	ss		Crime or Offense	Date	Disposition in Each case
					· · · · · · · · · · · · · · · · · · ·		<b>3</b> (1)
b. Use this schedu have not been repo forms. If more spa	rted to the Authori	ty or having I	any outsta been repo	anding le	pans and/or such d not been acknow	"changes" (other wledged by the Au	than arrests, etc.) whathority. (See instruc
	of Change		Da	te		Details	
		WALL			,,,,,		
	NOTIFI	CATION RIE	DER TO	RENEW	AL APPLICATION	ON	-
	ON PREMIS	ES LICENSI	EES ONL	Y MUS	COMPLETE THIS	SECTION	
	NO'	FICE TO MUN	NICIPALIT	ГҮ/СОМІ	MUNITY BOARD		
ou are required by the Alcoholic everages at retail for consumpti- plication to the State Liquor Au stification is to be sent to the co- int by certified mail, return recei	on on the premises, to thority not less than th mmunity board with lu	promptly notify nirty days prior i risdiction over t	y, in writing to the subm the area in	i, the Cleri nission of which the	of the Village, Town your application to the premises is located	or City wherein the	premises are located of y
ereby certify that I have compli	ed with the requireme	CERTIFICAT	54 subdivis	ion 2a of	the Alcoholic Payers	ge Control Law, and	have sent notification of
newai application to become lic	ensed, by certified m New York City, the Cle	all, return rece	eint reques	stad to th	Clerk of the City To	wan Villaga (circle o	no) of
FRESCO ON	THE GO						
40 East 52N	" STREET, A	161.1 YOU	₩ X)C	? ibc	77		
dress of Pramises  What House	#		2703				prupry 6, 2003
OTE: FAILURE TO NOTIFY THE	IE APPROPRIATE MI	License I JNICIPALITY (	Number OR COMMU	JNITY BO	ARD AT LEAST TH	Date Date	, ,
YOUR APPLICATION OR RE	NEWAL MAY RESUL	T IN A DELAY	IN PROCE	SSING Y	OUR APPLICATION	. ,	

Form #1016 SLA (Revised 04/2001)

## EXCISE BOND UNDERWRITERS

Bond Form L-9 Prescribed by New York State Liquor Authority November 1963

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y.10038

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC ... BEVERAGE CONTROL LAW

LIQUOR

having an office and usual place of business at

BOND EXPIRES IN

BOND NUMBER

001--15

X-B12868--00

FEBRUARY, 2005

Penal Sum of Bond

KNOW ALL MEN BY THESE PRESENTS, that we,

i, 000, 00 Plus Costs

Name of Applicant

Address of Place of Business

STARJEM LLC FRESCO ON THE GO

40 EAST 52ND STREET NEW YORK

NY 10022

In the county of NEW YORK

State of NEW YORK as Principal, and GREAT AMERICAN INSURANCE COMPANY

5 DAKOTA DRIVE

LAKE SUCCESS

NY 00000

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, hind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to tile with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said beense or negotive or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 6 day of FFBRUARY

2003

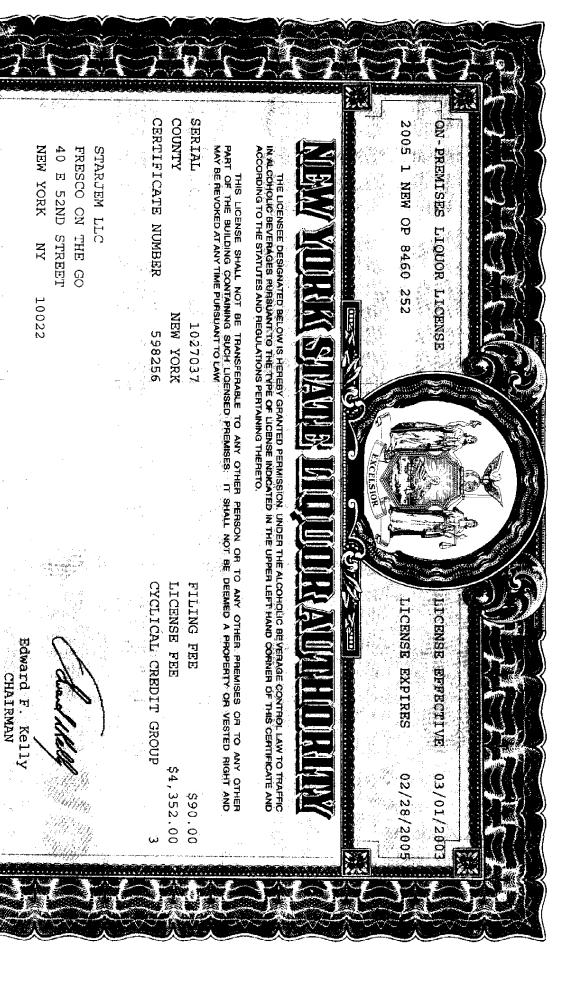
L.S.

GREAT AMERICAN INSURANCE COMPANY

APPLICANT MUST SIGN HERE

Attorney-in-fact

(OVER)



BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL

THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME

Certificate No.

	STATE OF NE Renewal Application	EW YORK - LIQUOR  (Directions for Co	AUTHORITY Impletion enclo	osed)	•		ā.
License fee:	4,352:00			·			
Filing fee:	90.00		SPEC your	license	AILING R mailed	<b>REQUEST</b> to an ad	: Complete if you wa
Total fee due:	4,442.00	)	licens	sed pre	mises add	dress:	
New effective date:	03/01/2005						
New expiration date:	02/28/2007	 EACWED FED (	2 2005				•
STARJEM LLC	R	ECEIVED FEB (	3 Z <b>UU3</b>				
FRESCO ON THE			-				
40 E 52ND STREE NEW YORK, NY		23175 <b>0</b>	. —				
nom tokk, NI	10022	201100					
NEW SERIAL#: 1027037 OL 40 E 52ND STREET NEW YORJ	D SERIAL#: 051NEW K, NY 10022	OP0008460252					
(Premise address)	., -, -, -						
• •	#	_	İ				
Make sure all names and address informat hanges on the reverse side.	ION IS correct, if not make t	the necessary					
· · · · · · · · · · · · · · · · · · ·	ALL QUEST	TIONS MUST BE ANS	WERED.				
Any false answer or state	ement made by the applica	ant constitutes perjury and i	vill subject any lice	ense he	ereunder i	o revocat	ion
If any changes in facts have occurre	ed since the signing of the	analisation for the state of					
which have not been reported to and details of changes in facts in the app	a acknowledged by the Stat	te Licular Authority check "\	(EC" and not took				
in facts have occurred, check "NO".	Aophate schedules A al	nd/or <b>b</b> on the reverse sid	e. If no changes		YES	NO	
The second of th				1.		X	
State whether said licensed business	s presently is regularly kep	t open and operated by the	licensee.	2.	Ø		
If no, submit statement with explanat	ion.	•			-		
. If your premises are closed, state who	ether your license cortificati	to lo demonstrati			_		Not Applicable
appropriate zone office of the NYS L	iquor Authority.			3.			23(
APPLICANT UNDERSTANDS THAT ANY TE COMMENCEMENT OF THE NEW LICENSE HANGE OF FACTS OCCURRING AFTER THE C PREGOING IS A GROUND FOR THE REVOCA	へつかん はこいくこと はこいて ヘニテレー・・・		WILLIAM OF CENTRE	TWEEN ED OR F	THE SIGN	ING OF TH	HIS APPLICATION AND TITHIN 48 HOURS. AN
DREGUING IS A GROUND FOR THE REVOCA	ATION, CANCELLATION OR S	SUSPENSION OF THE LICENS	SE.	HIN IOL	AYS. THE	FAILURE	TO COMPLY WITH THE
DIRECT, EITHER IN THE PREMISES OR IN DISIDERED BY THE STATE LIQUOR AUTHO	RITY IN ACTING UPON THIS	ENSED, FOR ANY LICENSE ( APPLICATION.	OR PERMIT, SHALL	BE'DE	EMED AN	D MADE A	A PART HEREOF AND
THIS CERTIFICATION MUST B	E SIGNED and DATED	by INDIVIDUAL APPL		_			
THIS CERTIFICATION MUST B	CANTO AND TARRED		ICANT and EAG	CH ME	MBER	of A PAF	RTNERSHIP
NDIVIDUAL APPL	ICAN IS AND EACH M	EMBER OF A PARTNE	RSHIP COMPL	ETE	THIS SE	CTION.	
ne undersigned, each for himself, certifles to erein, that the same are true of his own kno at no physical changes have been made to presents that all statements made in the ori subsequent renewal applications or as oth	the licensed premises since	e the issuance of the origina	il license, except th	ons upo	on which t	ne origina	l license was issued:
		Date					
				_			
(Signature of licensee(s))							
(Signature of licerisee(s))		(Hom	e Address)			(Hon	ne Telephone)
THIS CERTIF	FICATION TO BE SIGN	ED AND DATED BY A	000000				
CORPORATE OFFICER OR	CLUB ALCOHOLIC BI	EVERAGE CONTROL (	ABC) OFFICER	COM	PLETE .	THIS SE	CTION
MAR (ON Se	.0110	certifies that he is	ic n	۾ پيم	BER		
n knowledge: that he has been authorized to	at he knows the contents of	the above application and t	he statements and	answe	ers therein	rate Officer) I, that the	same are true of his
comply with all conditions upon which the sa	ame force and effect as if sa	id corporation made such s	tatements and ans	wers its	nems and	i answers has compl	In this application in
IIIIdi liCense except those authorized buth	a Chain I income a 11 to	1 7-1-4 4 141940114	AC DOCUL LUBUE IO II	ne ncer	seu oram	ises since	the issuance of the
applications for renewal thereof are true a roved by the Authority.	na concot, except as mou	med in subsequent renewa	applications or a	s other	wise repo	rted to an	d acknowledged or
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_	$\cap$	Date	<u>`</u> 2005	_			
(m) - c	1) #	•					
-1/1/avox >	1 COTLO	350 FA	ST 72	8			72-4466
(Signature of authorized officer)		_ NEW YOR	Home Address and	200	J Z	42-4	72-4466
		(1	Addiess and	u mome	elepho	ie)	
E APPROVED							

Form#1016 SLA(Revised 03/04)

APPROVED

DISAPPROVED

S.L.A. BY

# STATE OF NEW YORK - LIQUOR AUTHORITY (Renewal Application)

ADDRESS CH	ANGES OR CORRECTIONS: No	te if physical address of premise	s was changed by Post Office	City Town Village 014
Emergency Sy	stems, or 911 address reassig	ment, please submit notice of au	thorization from appropriate a	ony, rown, vinage, 911

Street address of premises to	be licensed			Post	office address of prer	mises (If different)	
City, town or village - Zip Code	;	Telephone N	lumber	City, to	own or village - Zip C	Code (If different)	· · · · · · · · · · · · · · · · · · ·
Landlord Name				Landlo	ord Address		
Use this sched	es to Question 1, or	details of ar	raete eur	nmone	oc and/or service	dana subist	occurred since the sign
or the application	ed by the Authority.	io license ar	io nave n	nt neen	ronorted to the	Authority or havin	g been reported have
Name of Defendant	Connection (Licensee, emplo	with Busines			Crime or Offense	Date	Disposition in Each case (submit copy)
o. Use this schedu have not been repo forms. If more spa			ny outsta peen repo	nding lo	pans and/or such	"changes" (other owledged by the A	than arrests, etc.) wh uthority. (See instruct
	of Change		Dat	e		Details	
				_			
71 10 10	NOTIFIC	ATION RID	ER TO F	RENEW	/AL APPLICATION	ON	***
	ON PREMISE	S LICENSE	ES ONL	Y MUS	T COMPLETE THIS	SECTION	
	NOTI	CE TO MUN	ICIPALITY	//COMN	MUNITY BOARD		
u are required by the Alcoholic I verages at retail for consumptio plication to the State Liquor Autification is to be sent to the con certified mail, return receipt req	hority not less than thirt	y days prior to	the submiss	ion of yo	our application to the	or City wherein the pr	emises are located of you
		CERTIFICATI					
ereby certify that I have complied ewal application to become lice in New York City, the Clerk of the	d with the requirements nsed, by certified mail Community Board #	of Section 64, , return receip	subdivision ot requeste Borough o	u to lite i	e Alcoholic Beverage Clerk of the City, Tov MANHAT	village (circle on	ave sent notification of my  of  premises are located.
FRESCO de Name	ON THE	Go					
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ress of Premises  Autor	Sott	102 Serial Numb	70 3	7		_ 2	1/05
E: FAILURE TO NOTIFY THE JR APPLICATION OR RENEW	APPROPRIATE MUNIC	ALUTYOR		TY BOAF	D AT LEAST THIR	Date PAYS PRIOR	TO THE SUBMISSION (
		LICELATIN PRO	<b>プレビラシ!!ハィ-</b>	YOUR A	PPI ICATION		

Form #1016 SLA (Revised 03/04)

# **EXCISE BOND UNDERWRITERS**

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y.10038

New York State Liquor Authority November 1963

LIRUGA

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

BOND EXPIRES IN

4-012043--00

and Anna Carlot (1986), the Carlot Anna Carlot (1986) is a sign of the Carlot (1986), and the Carlot (1986) is a sign of the Carlot (1986). The Carlot (1986) is a sign of the Carlot (198

FE PHARY, 2007

BOND NUMBER

001--15

Bond Form L-9 Prescribed by

KNOW ALL MEN BY THESE PRESENTS, that we.

7,490 . CO Plus Costs

Penal Sum of Bond

Name of Applicant

STARJEY LLC FRESCO ON THE 60 Address of Place of Business

40 EAST SEND STREET YEW YORK

MY 10022

In the county of

MEN YORK

State of NEW YORK as Principal, and JORGAT AMERICAN INSURANCE COMPANY S CAROTA ORIVE

having an office and usual place of business at and the artificiant, where the evaluation are also

HAR SUCCESS 

a surery company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any in the Alcoholic Beverage Control Law or Rules of the Authority or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this\_

APPLICANT MUST SIGN HERE

Attorney in fact



# 

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION. UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO,

THS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BULLDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED AFRICATION TIME PURSUANT TO LAW

1027037 SERLAL

COUNTY

NEW YORK

CERTIFICATE NUMBER

\$90.00 LICENSE FEE FILING FEE

CYCLICAL CREDIT GROUP

10022

FRESCO ON THE GO 40 E 52ND STREET

STARJEM LLC

Edward F. Kelly CHAIRMAN BEFORE COMMENCING OR DONG ANY BUSINGS FOR THE TIME FOR WITCHTHIS LICENSE HAS BEEN ISSUED. THE SAID LICENSE SHALL BE ENOLÓSED IN A SUBSTANTIAL WOOD, OF METAL BACK SO THAT THE WHOLE DE SAID LICENSE MAY BE SEEN THEREN, 3ND SHALL BE POSTED UP AND ATALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE COMMUNERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL FERRON WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL FERRON WISTING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (11/99)

Sertificate No. G659600

# STATE OF NEW YORK - LIQUOR AUTHORITY Renewal Application (Directions for Completion enclosed)

			<del></del>		
License fee: Filing fee:	4,352.00			LING REQUEST: Co nailed to an addres ses address:	
Total fee due:	4,442.00/				
New effective date: New expiration date:	03/01/2007 02/28/2009	RECEIVED FEB	5 2007		
STARJEM LLC	<b>X</b>	ند			
FRESCO ON THE 40 E 52ND STREI		15			
NEW YORK, NY	10022	, ,		:	
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·			·		
NEW SERIAL#: 1027037 OI 40 E 52ND STREET NEW YOR (Premise address)	D SERIAL#: 07.1NEWOP000846 K, NY 10022	60252	•		
Make sure all names and address inforchanges on the reverse side.	rmation is correct, if not make the nece	ssary			
changes on the reverse side.	ALL QUESTIONS	MUST BE ANSWERE	D.		
Anv false answer or	statement made by the applicant const	titutes periury and will subje	ct anv license hen	eunder to revocation	
•	curred since the signing of the application				
which have not been reported to	and acknowledged by the State Liquo	r Authority check "YES" and	set forth	VEC NO	
-	appropriate schedules A and/or E	s on the reverse side. If no o	ū	YES NO	
in facts have occurred, check "N	IO .		1.		
2. State whether said licensed bus	iness presently is regularly kept open a	and operated by the licensee	e. 2.		* .
If no, submit statement with expl	anation.				Not Applicable
If your premises are closed, state appropriate zone office of the N	e whether your license certificate is dep YS Liquor Authority.	oosited in safekeeping with t	he 3.		
APPLICANT UNDERSTANDS THAT THE COMMENCEMENT OF THE NEW LICE CHANGE OF FACTS OCCURRING AFTER FOREGOING IS A GROUND FOR THE REV		HE AUTHORITY IN WRITING B ENSE PERIOD MUST BE REPO	Y CERTIFIED OR R	EGISTERED MAIL WITH	IIN 48 HOURS, ANY
APPLICANT HEREBY AGREES THAT INDIRECT, EITHER IN THE PREMISES O CONSIDERED BY THE STATE LIQUOR AL		FOR ANY LICENSE OR PERM	ROLLAW BY ANY PE MIT, SHALL BE DE	ERSON HAVING ANY INT EMED AND MADE A F	EREST, DIRECT OR ART HEREOF AND
THIS CERTIFICATION MUS	ST BE SIGNED and DATED by IN	IDIVIDUAL APPLICANT	and EACH ME	MBER of A PART	NERSHIP
	PPLICANTS AND EACH MEMBE				
The undersigned, each for himself, cert therein, that the same are true of his ow that no physical changes have been mare represents that all statements made in the subsequence of the same and the same and the same are represented in the same are represented in the same are same and the same are sam	vn knowledge, that he has complied and de to the licensed premises since the is the original application for this license ar	d will continue to comply with suance of the original license nd in any and all applications	all conditions upon e, except those aut for renewal thereo	on which the original li thorized by the State Li	cense was issued; quor Authority; and
(Print name of licensee(s))	20110	Date			<del></del>
() This hard of hooficoo(c)//					
(Signature of licensee(s))		(Home Addre	ess)	(Home	Telephone)
THIS CI	ERTIFICATION TO BE SIGNED A	IND DATED BY A CORP	ORATION OR	A CLUB	
CORPORATE OFFICEI	R OR CLUB ALCOHOLIC BEVER	RAGE CONTROL (ABC)	OFFICER COM	IPLETE THIS SEC	TION
MARION	<u>5 Co +TO</u> cer	rtifies that he is	LC MA	NAGER	
(Print Name of Corporate Of of the above named applicant corporati own knowledge; that he has been autho behalf of said applicant corporation with to comply with all conditions upon which original license, except those authorized all applications for renewal thereof are approved by the Authority.	on; that he knows the contents of the at orized by order of the Board of Directors in the same force and effect as if said cor in the original license was issued; that no d by the State Liquor Authority, and repr	bove application and the stat of said applicant corporation poration made such stateme o physical changes have bee esents that all statements ma	tements and answ to make the state ents and answers it in made to the lice ade in the original	ers therein, that the si ments and answers in self; that it has complient nsed premises since to application for this lice	n this application in ed and will continue the issuance of the ense and in any and
	O A A Date	· FEBRUA	RY 12	-, 2007	
Marin	Xollo	350 EAST New YORK M	72" 5	TREET	
(Signature of authorized office	er)	IVEW JOKK (V (Home	Address and Hon	ne Telephone)	12-4466

Form#1016 SLA(Revised 07/05)

# STATE OF NEW YORK - LIQUOR AUTHORITY (Renewal Application)

ADDRESS CHANGES OR CORRECTIONS: Note if physical address of premises was changed by Post Office, City, Town, Village, 911

Street address of premises to be	licensed			Post of	fice address of	premises (If	different)	
								•
City, town or village - Zip Code		Telephone N	umber	City, to	, wn or village - 2	Zip Code (If	different)	
Landlord Name		٠.		Landloi	d Address			
					,		ė	•
1a. If you answered yes	to Question 1, or	n the reverse	, complet	te the ar	propriate so	chedule "A	\" or "B".	
	r the currently he	ld license an	d have n	ot been	reported to t	he Author	ity or havin	occurred since the signin g been reported have no
Name of Defendant		n with Busines	ss		Crime or Offense		Date	Disposition in Each case (submit copy)
				<del></del>				
	ed to the Authori	ty or having b						r than arrests, etc.) whic Authority. (See instructio
	f Change	on nucij.	Da	te			Details	
			, .					
	NOTIF	CATION RII	DER TO	RENEV	/AL APPLIC	CATION		and the second
	ON PREMIS	ES LICENS	EES ON	LY MUS	T COMPLETE	THIS SECT	ION	
	NO.	TICE TO MUI	NICIPALIT	ГҮ/СОМІ	MUNITY BOA	ARD	•	,
You are required by the Alcoholic E beverages at retail for consumption application to the State Liquor Auth notification is to be sent to the com by certified mail, return receipt requ	on the premises, to ority not less than th munity board with jur	promptly notify irty days prior to isdiction over the	, in writing, o the submi ne area in w	the Clerk ssion of y hich the p	of the Village, our application or oremises is location	Town or City to the Author	wherein the pority. In the C	premises are located of your ity of New York, such
l baranta a santa da	, 1	CERTIFICAT						
hereby certify that I have complied renewal application to become licer OR, in New York City, the Clerk of	nsed, <b>by certified m</b>	ail, retur <u>n r</u> ece	ipt reques	ted to the	Clerk of the (C	IRCLE ONE	) City, Town,	Village ofthe premises are located.
FRESCO ON	Go							
40 FAST 52	of STREET	. Na	YORK,	W	100	0 ZZ		
Address of Premises	V	<del>/·</del>	, , , , , ,		7			1
Signature //(CUM)	SIM	New Seria	2 <u>703</u> al Number	7_			Date /	12/07
NOTE: FAILURE TO NOTIFY THE YOUR APPLICATION OR RENEW	APPROPRIATE MU	INICIPALITY O	R COMMU	NITY BOA	RD AT LEAST	THIRTY (3	0) DAYS PRIC	OR TO THE SUBMISSION O

You must keep the certified mail receipt for your records!

### **EXCISE BOND UNDERWRITERS**

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y.10038

Bond Form L-9 Prescribed by New York State Liquor Authority November 1963

3 49 46 4

LIQUOR

having an office and usual place of business at

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW.

**BOND EXPIRES IN** 

**BOND NUMBER** 

001--15

X-B12868--00

FEBRUARY. 2009

Penal Sum of Bond

KNOW ALL MEN BY THESE PRESENTS, that we,

FRESCO ON THE GO

1.000 .00 Plus Costs

Name of Applicant

"STARJEM LLC

Address of Place of Business

40 EAST 52ND STREET NEW YORK

NY 10022

In the county of NEW YORK

State of NEW YORK as Principal, and GREAT AMERICAN INSURANCE COMPANY

5 DAKOTA DRIVE

LAKE SUCCESS

NY 00000

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this,

GREAT AMERICAN INSURANCE COMPANY

APPLICANT MUST SIGN HERE

Attorney-in-fact

(OVER)

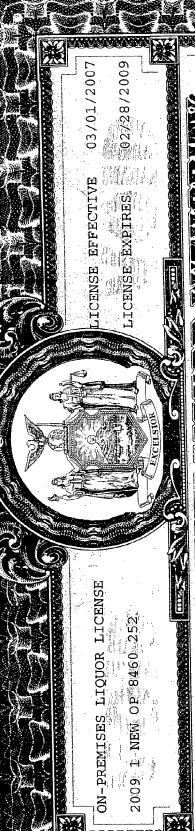
Bond Form L-9 Prescribed by the New York State Liquor Authority November 1963

# BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

### CONDITIONS

- 1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
- 2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
- 3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
- 4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
- 5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
- 6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
- 7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

· 27 - 20 - 77 (6.8) [7.1] (4.807][3486 (7.6)][6][6]



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THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION; UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE, INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER CRANSES OR TO ANY OTHER CRANSES OR TO ANY OF THE BUILDING TOONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROBERTY OR VESTED FRIGHT AND WAY BE REVOKED ATANY TIME FURSIONAL TO LAW

SERIAL 1027037

COUNTY

1027037 NEW YORK

71.8961=

FRESCO ON THE GO 40 E 52ND STREET

STARJEM LLC

FILING FEE LICENSE FEE

\$4,352.00

Daniel Boyle

anrer b. Bey. Chairman BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN AND SHALL BE POSTED UP AND A TALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SOTHAT ALL PERSONS VISITING SUCH PLACE MAY READLY SEE THE SAME

SLA FORM 180-033 (11/99)

Certificate No. \U \ \\_ O \ C \ \

	Re	enewal Application	n (Directions for				,	,	
License fee: Filing fee: Total fee due:		4,352.00 90.00 4,442.00	41397	' 🧲   y		mailed t	o an addi	Complete if you ess other tha	
New effective d New expiration		03/01/2009 02/28/2011		6	$\int_{-\infty}^{\infty}$		)		•
F 4	STARJEM LLC FRESCO ON THE GO 10 E 52ND STREET NEW YORK, NY 10022		ED FEB 2 4 2	009					
NEW SERIAL# 40 E 52ND STR	: 1027037 OLD SER EET NEW YORK, NY	IAL#: 091NEWOF 10022	P0008460252	-		1			
(Premise address)									
Make sure all name changes on the rev	es and address information verse side. ,	is correct, if not make	the necessary						
METHOD OF OR	PERATION:	APPRO	/ED METHOD OF OI	PERATION					
DAYS/HOURS C	OF OPERATION:								
ADDITIONAL IN	IFORMATION:								
ANY CHANGE T SUCH CHANGE	TO THE APPROVED ME CONTACT YOUR ZOI	THOD OF OPERA	TAIN THE APPROP	PROVED BY TH	E AUTHO	RITY PE	RIOR TO ANGES.	IMEPLEMTIN	IG
		ALL QUES	TIONS MUST BE	ANSWERED.					
,	Any false answer or stateme	ent made by the applic	cant constitutes perjury a	and will subject an	y license h	ereunder t	o revocatio	on.	
which have i	ies in facts have occurred si not been reported to and ac anges in facts in the approp	knowledged by the St	ate Liquor Authority che	ck "YES" and set f		YES	NO		
in facts have	e occurred, check "NO".				1.		×		
	er said licensed business pr statement with explanation		pt open and operated b	y the licensee.	2.	Ø		Not Applic	ahle
appropriate:	ses are closed, state wheth zone office of the NYS Liqu	or Authority.	•	, ,	3.			×	
CHANGE OF FACTS	UNDERSTANDS THAT ANY CI NT OF THE NEW LICENSE PE OCCURRING AFTER THE COI ROUND FOR THE REVOCATION	HIOD MUST BE REPOR MMENCEMENT OF THE	ITED TO THE AUTHORITY NEW LICENSE PERIOD M	' IN WRITING BY CE: IUST BE REPORTED	RTIFIED OR	REGISTER	RED MAIL W	ITHIN 48 HOURS	. ANY
THIS CER	TIFICATION MUST BE INDIVIDUAL APPLIC	SIGNED and DATE	ED by INDIVIDUAL A	APPLICANT and	EACH M	EMBER THIS SE	of A PAF	RTNERSHIP	
therein, that the sar that no physical cha represents that all s	each for himself, certifies tha me are true of his own know anges have been made to th statements made in the origi swal applications or as other	ledge, that he has con e licensed premises si nal application for this	nplied and will continue t ince the issuance of the c license and in any and a	to comply with all c original license, exc Il applications for r	onditions up cept those a enewal ther	oon which	the origina	I license was is	sued;
(Print nar	me of licensee(s)		Date	,				~~	
(Signatur	re of licensee(s)			(Home Address)			(Hoi	ne Telephone)	
CORP	THIS CERTIFI ORATE OFFICER OR C	CATION TO BE SIGNED	GNED AND DATED	BY A CORPORA	ATION OF	R A CLUI	B THIS SE	CTION	
MARION	SCOTTO			PN LLC	Mark	eer			
of the above named own knowledge; that behalf of said applic to comply with all co- original license, exc- all applications for approved by the Au	int Name of Corporate Officer) at the has been authorized by ant corporation; that at he has been authorized by ant corporation with the sar and those authorized by the renewal thereof are true an atthority.	order of the Board of I ne force and effect as i ginal license was issue State Liguor Authority:	s of the above application Directors of said application if said corporation made ed; that no physical chan and represents that all second	n and the statement corporation to m such statements a ges have been ma statements made in enewal application	(Prints and ans ake the stand answers de to the lice	t Title of Cor wers there ements a itself; that ensed pre	nd answers it has comp mises sinc	same are true in this applicat blied and will cor e the issuance	tion in ntinue of the
$\bigcap II$	· < 1/-	+	Date 0/// 00	7					

350 EAST 72 NO ST. NY NY 100R1 (212) 472-4466 (Home Address and Home Telephone)

Form#1016 SLA(Revised 06/08)

### STATE OF NEW YORK - LIQUOR AUTHORITY

(Renewal Application)

ADDRESS CHANGES OR CORRECTIONS: Note if physical address of premises was changed by Post Office, City, Town, Village, 911 Emergency Systems, or 911 address reassignment, please submit notice of authorization from appropriate agency.

Street address of premises to be licensed	,	Post office address of premises (If different)
City, town or village - Zip Code	Telephone Number	City, town or village - Zip Code (If different)
Landlord Name		Landlord Address

1a. If you answered yes to Question 1, on the reverse, complete the appropriate schedule "A" or "B".

Use this schedule "A" to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. Submit copy of Certificate of Disposition or Police Report.

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case (submit copy)
	•		·····	

1b. Use this schedule, "B" to set forth details of any outstanding loans and/or such "changes" (other than arrests, or address changes) which have not been reported to the Authority or having been reported, have not been acknowledged by the Authority.

(See instruction forms. If more space is needed, attach rider).

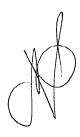
Nature of Change		Date	Details
	همي د		
E Service Service			
			•

# NOTICE TO MUNICIPALITY/COMMUNITY BOARD (ON-PREMISES LICENSEES ONLY)

On Premises Licensees are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing, the clerk of the Village, Town or City wherein the premises are located, of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

ACCEPTABLE FORMS OF PROOF (TO BE SUBMITTED WITH THE RENEWAL APPLICATION):

A COPY OF THE LETTER SENT TO THE MUNICIPALITY/COMMUNITY BOARD AND EITHER THE ORIGINAL OR A COPY OF THE CERTIFIED MAIL RECEIPT CARD OR THE ORIGINAL OR A COPY OF THE LETTER SENT TO THE MUNICIPALITY/COMMUNITY BOARD DATE STAMPED AND SIGNED BY THE MUNICIPALITY/COMMUNITY BOARD SHOWING RECEIPT MUST BE SUBMITTED WITH THE RENEWAL APPLICATION.



### **EXCISE BOND UNDERWRITERS**

15 MAIDEN LANE, SUITE 800 • NEW YORK, N.Y.10038

Bond Form L-9 Prescribed by New York State Liquor Authority November 1963

LIQUOR

BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

**BOND EXPIRES IN** 

001--15

X-B12868--00

FEBRUARY, 2011

BOND NUMBER

KNOW ALL MEN BY THESE PRESENTS, that we,

Penal Sum of Bond 1,000.00 Plus Costs

Name of Applicant

Address of Place of Business

STARJEM LLC FRESCO ON THE GO

**40 EAST 52ND STREET NEW YORK** 

NY 10022

In the county of **NEW YORK**  State of NEW YORK as Principal, and

having an office and usual place of business at

GREAT AMERICAN INSURANCE COMPANY 5 DAKOTA DRIVE

LAKE SUCCESS

NY 00000

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid.

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect; subject, however, to the conditions stated on reverse side.

IN WITNESS WHEREOF the parties hereto have caused these presents to be signed and sealed this 11 day of FERRUSPY)

レレC

Principal

GREAT AMERICAN INSURANCE COMPANY

APPLICANT MUST SIGN HERE

Attorney-in-fact

# BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

### CONDITIONS

- 1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
- 2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
- 3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
- 4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
- 5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
- 6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.
- 7. In any action or proceeding to recover on this bond, the principal and the company named herein as Surety waive any defense based upon any defect in the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparent alteration of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed, typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety. Any bond filed with the State Liquor Authority and bearing the printed or facsimile name of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

### ROBERT V. FERRARI

ATTORNEY AT LAW

630 THIRD AVENUE, NEW YORK, N.Y. 10017 (212) 972-7040 TELECOPIER (212) 922-1939 E-MAIL: rvf@rvferrari.com

RIGHARD H. BYRNES

January 20, 2009

Community Board No. 5 450 Seventh Avenue, Room 2109 New York, New York 10123

Re:

Stargem LLC

40 East 52<sup>nd</sup> Street

New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very traly yours.

Robert V. Ferrari

Enclosure

Via Certified Mail/ Return Receipt Requested



# STATE OF NEW YORK EXECUTIVE DEPARTMENT DIVISION OF ALCOHOLIC BEVERAGE CONTROL STATE LIQUOR AUTHORITY

# Standardized RENEWAL APPLICATION NOTICE FORM for Providing a

30-Day Advance Notice to a Local Municipality or Community Board

in connection with the submission to the State Liquor Authority of a

Renewal Application for an On-Premises Alcoholic Beverage License

1.	Date the Original copy of this Notice was Mailed to the Local Municipality or Community Board:
	THIS 30-DAY ADVANCE NOTICE IS BEING MAILED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD
2.	Name of the Local Municipality or Community Board: Community Board No. 5
3.	Street Address of Local Municipality or Community Board: 450 Seventh Avenue, Suite 2109
4.	City, Town, or Village: New York NY Zip Code: 10/23
5.	Telephone Number of Clerk of Local Municipality or Community Board:
,	ATTORNEY FOR THE LICENSE HOLDER SUBMITTING THE RENEWAL APPLICATION
6.	Attorney's Full Name is: Robert V. Ferrari
7.	Attorney's Street Address: 630 Third Avenue, 16th Floor
8.	City, Town, or Village: New York NY Zip Code: 10017
9.	Business Telephone Number of Attorney:   2   1 2   9 7 2   7 0 4 6
A SA	CURRENT LICENSE HOLDER WHO/THAT WILL SUBMIT THE RENEWAL APPLICATION TO THE STATE LIQUOR AUTHORITY
10.	Type(s) of Alcohol sold under the License (*X" one):  Beer Only  Wine and Beer Only  Liquor, Wine, and Beer
11.	Extent of Food Service:  (*X* one)  Restaurant (Sale of Food Menu; Kitchen run by Chef)  Tavern-Restaurant (A mixed-use establishment that has both a sit-down dining area and a *stand-up* bar where patrons may receive direct deliveries of alcohol)  Tavern / Cocktail Lounge / Adult Venue / Bar (Alcohol sales primarily - meets legal minimum food availability requirements)
12.	Type of Establishment:  Hotel Live Disk Juke Box Small Scale Cabaret, Night Club, Discotheque Capacity for 600 or more patrons
	(*X* all that apply) Club (e.g. Golf / Fraternal Org.) Bed & Catering Facility Stage Shows Intertainment Cypecify):
13.	Licensed Outdoor Area:  None Rooftop Patio or Deck Covered Structure Grounds Garden / Grounds (Specify):
	Days and Hours of Operation 6:00 (AMPM 6:00
14.	of Operation (Complete all; circle AM or PM)  8:00 AM PM  9:00 AM PM  11:00 AM PM  11:00 AM PM  11:00 AM PM
15.	Will the License Holder or a Manager be physically present within the establishment during All Hours of Operation? (*X* one):
16.	License Serial Number: 1027037 17. Expiration Date: O 2 8 2 7 0 0 7
18.	The License Holder's Full Name, as it appears on the Alcoholic Beverage License Certificate, is:  Stargem LLC
19.	The Full Name of the Establishment (the Trade Name under which the Licensed Establishment conducts business) is:  Fresco On The Go
20.	The Licensed Establishment is located within the building which has the following street address: 40 East 52nd Street
21.	City, Town, or Village: New York NY Zip Code: 10022
22.	The Licensed Establishment is located on the following floor(s) of the building at the above address: First floor
23.	Within the building at the above address, the Licensed Establishment is located within the room(s) numbered as follows:
24.	Business Telephone Number of Current License Holder: 2 1 2 - 7 5 4 - 1 6 6 1
25.	Does the License Holder own the building in which the Licensed Establishment is located? ("X" one)  Does the License Holder own the building in which the Licensed Establishment is located? ("X" one)  Yes   If "YES", SKIP items No. 26-29.  Complete the 3 entries and complete the 3 entries at Item No. 30.
	OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED
26.	Building Owner's Full Name is: 40 Eastco
27.	Building Owner's Street Address: 40 East 52nd Street
28.	City, Town, or Village: New York Zip Code: 10022
29.	Business Telephone Number of Building Owner: 2 1 2 - 4 0 7 - 2 4 0 0
	I hold the License or am a Principal of the Legal Entity that holds the License. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the existing license. I understand that representations made in this form will also be relied upon, and that fals representations may result in revocation of the license. By my signature, I affirm – under Penalty of Perjury – that the representations made in this form are true.
30.	Printed Name Marion Scotto  Title Member  X  Signature  All All All All All All All All All Al
<u></u>	The state of the s



### STATE OF NEW YORK

### NOTICE OF APPEARANCE

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.

gency:	State	Liquor Authority		Date:	February 19, 2009
ivision/	Bureau: _	Licensing/Renewals			
A		(212) 072 7040	Robert V. Ferrari Floor, New York, New Yor	k 10017	
,	Address:	### Starjem LLC	C w York, New York 10022		
,					
	Subject of	appearance: ewal application	Regulatory/I	Enforcemen	t Lobbying
3. \$	Subject of Filing ren	appearance: ewal application  apacity of: ey Lobb		Enforcemen	t Lobbying

<sup>\*</sup>A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates or legislation, including the State budget. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

- LB	U.S. Postal Service M CERTIFIED MAIL RECEIPT, (Domestic Mail Only, No Insurance Coverage Provided)
2 & G	For delivery information visits our website allow with a special of the control o
	Postage \$ ,42  Certified Fee 2.70  Return Receipt Fee (Endorsement Required)  Restricted Delivery Fee (Endorsement Required)  Total Postage & Fees \$ 5.32
. 8002	Sent TO COMMUNITY BOARD NO. 5 Street, Apt. No.; or PO Box No. 450 SEVENTH AVENUE, ROOM 2109 City, State, 219-4 NEW YORK, NEW YORK 10/23 PS. Form 3800, August 2006 See Reverse for Instructions

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THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CENTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW

METHOD OF OPERATION

SERIAL #: 1027037

COUNTY: NEW YORK

RESTAURANT SERVING BEER WINE AND LIQUOR

STARJEM LLC FRESCO ON THE GO 40 E 52ND STREET

NEW YORK NY 10022

FILING FEE LICENSE FEE.

\$90.00 \$4,352.00

Daniel B. Boyle . Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED. THE SAID LICENSE SHALL BEFORE COMMENCING OF DUING ANY BUSINESS FOR THE TIME FOR WHICH THIS STEEM ISSUED, THE SAID LICENSE MAY BE SEEN SOURCE. THE BEINGLOSED IN A SUITABLE WOOD OR METAL BACK SO THAT.

THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN
THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

FORM 180-033 (11/99)

Certificate No. G782691

STATE OF NEW YORK - LIQUOR AUTHORITY Renewal Application (Directions for Completion enclosed) License fee: Filing fee: 90,00 SPECIAL MAILING REQUEST: Complete if you want your license mailed to an address other than the 4,442.00 Total fee due: licensed premises address: New effective date: 03/01/2011 New expiration date: 02/28/2013 520825 STARJEM LLC FRESCO ON THE GO 40 E 52ND STREET NEW YORK, NY 10022 RECEIVED FEB 0 8 2011 NEW SERIAL#: 1027037 OLD SERIAL#: 111NEWOP0008460252 40 E 52ND STREET NEW YORK, NY 10022 (Premise address) Make sure all names and address information is correct, if not make the necessary changes on the reverse side. APPROVED METHOD OF OPERATION METHOD OF OPERATION: DAYS/HOURS OF OPERATION: **ADDITIONAL INFORMATION:** ANY CHANGE TO THE APPROVED METHOD OF OPERATION MUST BE APPROVED BY THE AUTHORITY PRIOR TO IMEPLEMTING SUCH CHANGE, CONTACT YOUR ZONE OFFICE TO OBTAIN THE APPROPRIATE FORM TO MAKE ANY CHANGES. ALL QUESTIONS MUST BE ANSWERED. Any false answer or statement made by the applicant constitutes perjury and will subject any license hereunder to revocation. If any changes in facts have occurred since the signing of the application for your currently held license which have not been reported to and acknowledged by the State Liquor Authority check "YES" and set forth details of changes in facts in the appropriate schedules A and/or B on the reverse side. If no changes YES NO in facts have occurred, check "NO". X X State whether said licensed business presently is regularly kept open and operated by the licensee П If no, submit statement with explanation. Not Applicable Ø If your premises are closed, state whether your license pertificate is deposited in safekeeping with the appropriate zone office of the NYS Liquor Authority PLICANT UNDERSTANDS THAT ANY CHANGE IN ANY OF THE FACTS REPORTED HEREIN WHICH OCCURS BETWEEN THE SIGNING OF THIS APPLICATION AND THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED TO THE AUTHORITY IN WRITING BY CERTIFIED OR REGISTERED MAIL WITHIN 48 HOURS, ANY CHANGE OF FACTS OCCURRING AFTER THE COMMENCEMENT OF THE NEW LICENSE PERIOD MUST BE REPORTED WITHIN 10 DAYS. THE FAILURE TO COMPLY WITH THE FOREGOING IS A GROUND FOR THE REVOCATION, CANCELLATION OR SUSPENSION OF THE LICENSE. THIS CERTIFICATION MUST BE SIGNED and DATED by INDIVIDUAL APPLICANT and EACH MEMBER of A PARTNERSHIP INDIVIDUAL APPLICANTS AND EACH MEMBER OF A PARTNERSHIP COMPLETE THIS SECTION. The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein, that the same are true of his own knowledge, that he has complied and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority. (Print name of licensee(s) (Signature of licensee(s) (Home Address) (Home Telephone) THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION OR A CLUB CORPORATE OFFICER OR CLUB ALCOHOLIC BEVERAGE CONTROL (ABC) OFFICER COMPLETE THIS SECTION MARION SCOTTO certifies that he is AN LLC MANAGER (Print Name of Corporate Officer)

(Print Talle of Corporate Officer)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein, that the same are true of his own knowledge; that he has been authorized by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself; that it has compiled and will continue to comply with all conditions upon which the original license was issued; that no physical changes have been made to the licensed premises since the issuance of the original license, except those authorized by the State Liquor Authority; and represents that all statements made in the original application for this license and in any and all applications for renewal thereof are true and correct, except as modified in subsequent renewal applications or as otherwise reported to and acknowledged or approved by the Authority. 2011 STREET, NEW YORK, NY 10021

(Home Address and Home Telephone) (212) 472-4466

Form#1016 SLA (Revised 02/09)

(Signature of authorized officer)

### STATE OF NEW YORK - LIQUOR AUTHORITY

(Renewal Application)

ADDRESS (	CHANGES OR C	CORRECTIONS: Note if 1 address reassignment	physical address of	premises was change	d by Post Office,	City, Town,	Village, 911
Emergency	Systems, or 91	1: address reassignme	nt, please submit not	ice of authorization fro	m appropriate ac	encv.	-
	g	, 3	••				

Street address of premises to be licensed		Post office address of premises (If different)
City, town or village Zip Code	Telephone Number	City, town or village - Zip Code (If different)
Landlord Name		Landlord Address

1a. If you are we'red yes to Quoction 1, on the reverse, complete the appropriate schedule "A" or "B".

Use this schedule "A" to set forth details of arrests, summonses and/or convictions which have occurred since the signing of the application for the currently held license and have not been reported to the Authority or having been reported have not been acknowledged by the Authority. Submit copy of Certificate of Disposition or Police Report.

Name of Defendant	Connection with Business (Licensee, employee, patron or other)	Crime or Offense	Date	Disposition in Each case (submit copy)
· · · · · · · · · · · · · · · · · · ·				

1b. Use this schedule, "B" to set forth details of any outstanding loans and/or such "changes" (other than arrests, or address changes) which have not been reported to the Authority or having been reported, have not been acknowledged by the Authority. (See instruction forms. If more space is needed, attach rider).

-	Nature of Change	Date	Details
	A Company Comp		

# NOTICE TO MUNICIPALITY/COMMUNITY BOARD (ON-PREMISES LICENSEES ONLY)

On Premises Licensees are required by the Alcoholic Beverage Control Law, Section 64, Subdivision 2a, upon receipt of a renewal application for a license to sell alcoholic beverages at retail for consumption on the premises, to promptly notify, in writing the clerk of the Village, Town or City wherein the premises are located, of your application to the State Liquor Authority not less than thirty days prior to the submission of your application to the Authority. In the City of New York, such notification is to be sent to the community board with jurisdiction over the area in which the premises is located. Notification pursuant to this Section is to be sent by certified mail, return receipt requested.

YOU MUST SUBMIT THE NOTICE PROVIDED WITH THIS RENEWAL PACKET TO THE COMMUNITY BOARD OR MUNICIPALITY AND SUBMIT SAME TO THIS OFFICE ALONG WITH THE ORIGINAL OR A COPY OF THE CERTIFIED MAIL CARD OF RECEIPT

Form #1016 SLA (Revised:02/09)

**是** 

Form 1480-A-4-2002

Application Number	Bond Number	This bond expires in 2013	. <b>\$</b>	um of Bond Plus Costs
KNOW ALL MEN BY THESE PH	RESENTS, that we		·	
Name of ApplicantStarjem LLC Go	DBA Fresco On T	he Address of Place of Busine of 40 East 52nd Street		
in the county of New York		, State of New York	10022	, as Principal, and
Name of Insurance Company WESTERN SURETY COM	PANY	Address of Office or usual 101 South Phillip Sioux Falls, SD	s Avenue	

a surety company approved by the Superintendent of Insurance of New York State as to solvency and responsibility and authorized to transact business in New York State, as Surety, are held and firmly bound unto the People of the State of New York in the penal sum set forth above and for the payment of any costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1,000.00) for the payment of which sum or sums, well and truly to be made, we, the said principal and surety, bind ourselves, successors, and assigns, respectively, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal is making application to the New York State Liquor Authority, for a license or permit under the Alcoholic Beverage Control Law and the said State Liquor Authority, by Part 81 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the Authority), having required the principal to file with it a bond to the People of the State of New York, as provided in said Law aforesaid,

NOW, THEREFORE, the conditions of this obligation are such that if the said license or permit applied for, which expires on the date designated in said license or permit, is granted to the said principal and the principal will not, during the license or permit period, suffer or permit any violation of the provisions of the Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or give cause, as provided in the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the State Liquor Authority), for the cancellation, revocation or suspension of said license or permit or the issuance of an order of warning, and will pay all fines and penalties which shall accrue thereunder, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by said State Liquor Authority, or for cause for the cancellation, revocation or suspension or issuance of an order of warning as provided in the Alcoholic Beverage Control Law or Rules of the Authority, or costs taxed or allowed in any review pursuant to Section 121 of the Alcoholic Beverage Control Law; then this obligation shall be void; otherwise to remain in full force and effect: subject, however, to the following conditions:

- 1. An action for the breach of any condition of this bond may be maintained without previous conviction or prosecution for the violation of any provision of said Alcoholic Beverage Control Law, or of any of the rules now or hereafter issued by the State Liquor Authority, or for cause as provided by the Alcoholic Beverage Control Law or Part 53 of Subtitle B of Title 9 of the Official Compilation of the Codes, Rules and Regulations of the State of New York (Rule 36 of the Rules of the Authority).
- 2. The aggregate liability of the surety on account of any and all defaults hereunder shall in no event exceed the penal sum of this bond plus costs taxed or allowed in any action or proceeding to the extent of One Thousand Dollars (\$1000.00).
- 3. Upon the payment of any loss arising under this bond, the surety shall be subrogated to the rights and remedies of the obligee against the principal to recover from the principal any amount so paid.
- 4. Any action brought for the penal sum of this bond shall be commenced within twenty-four months after the expiration of the license or permit period aforementioned, or for costs within one year after final disposition of any action or proceeding. In the event of the institution of any action or proceeding to review the Authority's determination, the period of 24 months shall not commence until the final determination of the proceeding or litigation.
- 5. This bond shall be effective during the time the aforementioned license or permit shall be in effect and during any extension thereof.
- 6. A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the

suspension or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of competent jurisdiction.

7. The art action of permit or the issuance of an order of warning by the State Liquor Authority unless said revocation, cancellation, suspension or the suspension of the suspension o apparate any defection the bond, including, but not limited to, an erroneous, improper or defective insertion or omission to insert or apparate attendance of the expiration year and/or amount of the penal sum of the bond and further waive any objection that the bond bears a printed typewritten or facsimile signature. Any bond filed with the State Liquor Authority shall be admissible in devidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereofiby or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and execution thereofiby or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and conclusively presumed to have been duly executed by and shall be conclusively presumed to have been duly executed by and conclusively presumed to be the duly issued bond of the surety or the typewritten or facsimile signature of its representative shall be conclusively presumed to be the duly issued bond of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle B of Title 9 of the State of New York (Rule 9 of the Rules of the State Liquor Authority). Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

IN WITNESS WHEREOF the parties hereto have caused 21st day of January, 2011	these presents to be signed and sealed this 9 E. 37th St., 4th Floor
vuj v	Address New York, NY 10016-2897
Name of issuing agency Global Coverage, Inc.	Phone # (212) 683-2622
Starjem LLC DBA Fresco On The Go L. S.  Principal (Applicant/Line resee)  BY: Mann Mann Mann Mann Mann Mann Mann Man	BY: Paul T. Bruflat, Senior Vice President



### STATE OF NEW YORK EXECUTIVE DEPARTMENT DIVISION OF ALCOHOLIC BEVERAGE CONTROL STATE LIQUOR AUTHORITY

# Standardized RENEWAL APPLICATION NOTICE FORM for Providing a

30-Day Advance Notice to a Local Municipality or Community Board
in connection with the submission to the State Liquor Authority of a
Renewal Application for an On-Premises Alcoholic Beverage License

1.	Date the Original copy of this Notic	e was Mailed b	o the Local I	Municipa	lity or Co	mmuni	ty Board		Õ	1	Ö	3	2	0	ĩ	Ï	
	THIS 30-DAY ADVANCE NO				Contract of the last				AL MUN	ICIPALII	Y OR C	ואטאאכ	TY BOA	RD			
2.	Name of the Local Municipality or C	Community Bo	ard: Mar	hattan	Сотл	nunit	y Boar	d No.	5								
3.	Street Address of Local Municipality	or Community	Board: 4	450 Sev	enth A	venu	e, Suit	e 2109	)								
4.	City, Town, or Village: New Yo	ork								<u> </u>	NY	Zip C	ode:	10123	<del>moderna.</del>		
ō.	Telephone Number of Clerk of Local	Municipality o	r Communi	ty Board:		2	1	2	- 4	6	5	- 1	0	9 (			
	4	ATTORNEY	FOR THE L	CENSE I	IOLDER	SUBMI	TTING T	HE REN	EWAL A	PPLICAT	ION						_
6.	Attorney's Full Name is: Robo	ert V. Ferr	ari														_
7.	Attorney's Street Address: 630	Third Aven	ue, 16th	Floor							bes	· · · · · ·					
8.	City, Town, or Village: New	York							-		ÑY	Zip C	ode: 1(	017			
9.	Business Telephone Number of Atte					2	1	2		9 7	2	<u> </u>	7	0	4 0		Ц
	Current Licenșe	HOLDER WHO	/THAT WIL	L SUBMI	T THE R	ENEWA	L APPLIC	ATION	то тне	STATE I	LIQUOR	AUTHO	RITY				
10.	Type(s) of Alcohol sold under the Lice	ense ( "X" <u>one</u> ):		Beer O	nly	Win	and Bo	er Only	X	Liquor,	Winc, a	nd Beer					
11.	Extent of Food Service: Restaurant Primarily: i	t (Sale of Food Full Food Meni n by Chel)	1	hac hoth	staurant a sit-dow rons may	ın dinir	ng arca a	nd a "s	and-up	bar L	Bar	ern / Con (Alcoho imum fo	l sales	primar	ily - m	ects li	.gal
12,	Type of Establishment: Hotel	Live Music	Disk Jockey	Ju Bo	ke ka		on Danci Il Scale)	ng [	Caba (Larg	ret, Night Scale D	club, I	Discother ub)	que	Ca or	pacity more p	for 60 natron	)0 is
Comment	( % all that apply) Club (e.g. fraternal C	Golf / Org.)	Bed & Breakfast	Cate	ering ility		tage hows		opiess ntertain	ment		)ther Specify):					
13.	Licensed Outdoor Area: None	Rooftop	Patio or Dec	:k		estand vered S	ing tructure		Garde Orous			ther Specify):					
14.	Will the License Holder or a Manage	er be physically	present wit	thin the c	stablishn	nent du	iring AU	Hours o	d Operat	ion? (* <b>2</b>	one:	t the t	X Y	ES	The T	NO.	·
15.	License Serial Number: 1027037				16.	Ex	piration	Date:	0	2	2	8	2	0	1	1	<u> </u>
17.	The License Holder's Full Name, as on the Alcoholic Beverage License Co	s it appears ertificate, is:	Starjem	LLC													
18.	The Full Name of the Establishment which the Licensed Establishment	(the Trade Nan	ne under		On Th	e Go											
19.	The Licensed Establishment is locate building which has the following str	ed within the reet address:	40 East	52nd S	treet												
20.	City, Town, or Village: New Yo										NY	Zip (	ode: 10	022			
21.	The Licensed Establishment is locate								irst fl		-1	<del></del>					
22.	Within the building at the above add	ress, the Licer	sed Establi	shment is	located	within	the room	nun (e)	bered a	s follows:	Not	applic	able				
23.	Business Telephone Number of Curre	ent License Ho	lder:	2	1 2		. 7	5	4	<b> </b> -	1	6 6	1	_			
24.	Business Fax Number of Curre	ent License Ho	lder:							لنا				_			
25.	Business E-Mail Address of Curre	ent License Ho	lder:					-									
26.	Does the License Holder own to building in which the Licens Establishment is located? (*X° or	sed Yes	s 🗆	Cor	. SKIP ito nplete the at Item I	e 3 enti 10. 31.	ries		No		المستحبيب	if "NO", and	comple	R item te the a n No. 3	3 enisi	27-30, #\$	
	10	owner of th	E BUILDING	IN WHI	CH THE	1CENS	ED EST	визн	MENT IS	LOCATI	ED		*****		•		
27.		40 Eastco															
28.	Building Owner's Street Address:	40 East 52	nd Street						<u> </u>					1002	,		
29.	City, Town, or Village: New Y	ork				1	<del>, ,</del>		<del></del>		NY	Zip	Code:	1002		0	Τ.
30.	Business Telephone Number of Buil	lding Owner:				2	1	2		4 0			2	4	0		<u> </u>
31.	I hold the License or am a Principal of documents relied upon by the Author representations may result in revoc	of the Legal En ity when grant action of the lic	tity that holing the existence. By m	lds the Li ting licen y aignatu	cense. Rese. I und re, I affir	epreser lerstan m – un	itations i d that re der Pena	n this f present ity of I	ocions n etions n	in confor lade in the that the	inity with	m repres	be relie	d upor	orm a	that is	ilse
J	Printed Name		Title					Y	A180 P	ar		t t	¥1	( A	11	1	_
1	Marion Scotto	1	LLC Ma	anager				^	//_/	<u> </u>	4/		لند		شهاسك	<u>~</u>	

A A A
CHECKED !

	OFFICE USE	ONLY	
Original	Amended	Date	<u></u>

### STATE OF NEW YORK

### **NOTICE OF APPEARANCE**

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.

	Authority Date:	February 3, 2011
51.1.1.75		
Division/Bureau:	Renewals	
1. Name of individ	ual appearing: Robert V. Ferrari	
Address:	630 Third Avenue, 16th Floor, New York, New York 10	017
Telephone:	(212) 972-7040	
2. Client represent	Starjem LLC d/b/a Fresco On The Go	
Address:	40 East 52nd Street, New York, New York 10022	
Telephone:	(212) 754-1661	
3. Subject of appe	arance: Regulatory/Enforcement	Lobbying
4. Acting in capaci ⊠ Attorney	Lobbyist Agent	
4. Acting in capaci	ty of: Lobbyist	
4. Acting in capaci	ty of: Lobbyist	2
4. Acting in capaci	ty of:  Lobbyist Agent ibe)  Ompensated? Yes No ok FEE or SALARY FEE	2
4. Acting in capaci  Attorney  Other (desci	ty of:  Lobbyist Agent libe)  Impensated? Yes No  Rick FEE or SALARY FEE SALARY  Ividual appearing:	

<sup>\*</sup>A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

0966	U.S. Postal Service IM CERTIFIED MAILTM RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)
	For delivery information visit our website at www.usps.com
m	OFFICIAL USE
0820 0000 026	Postage  Certified Fee  Return Receipt Fee (Endorsement Required)  Restricted Drivery Fee (EndorsementFriequired)  Total Postage & Fees  \$ 5.54
7009	Sent TO COMMUNITY BORRO NO. 5 Street, Apt. No.; or PO BOX NO. 450 SEVENTH AVENUE LOOM 2109 City, Stete, ZIP+4 NEW YORK NEW YORK 10123 PS Form 3800. August 2008 See Reverse for Instructions

### ROBERT V. FERRARI

ATTORNEY AT LAW

630 THIRD AVENUE, NEW YORK, N.Y. 10017 (212) 972-7040 TELECOPIER (212) 922-1939

E-MAIL: rvf@rvferrari.com

RIGHARD H. BYRNES

January 5, 2011

Community Board No. 5 450 Seventh Avenue, Room 2109 New York, New York 10123

Re:

Starjem LLC

40 East 52<sup>nd</sup> Street

New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Robert V. Ferrari

Enclosure

Via Certified Mail/ Return Receipt Requested





EFFECTIVE DATE: 02/12/2011 EXPIRATION DATE: 02/28/2013 CERTIFICATE #: 792609

SERIAL #: 1027037

COUNTY: NEW YORK

ON-PRÉMISES LIQUOR LICENSE

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND, CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REQUIATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OF TO ANY OTHER PREMISES OF TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OF VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

"METROD: OF OPERATION."

RESTAURANT SERVING BEER WINE AND LIQUOR

NY

10022

FILING FEE

LICENSE FEE

\$90.00

\$4,352.00

Dennis Rosen Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED. THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON. SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (1009)

Certificate No. B 792609

STARJEM LLC FRESCO ON THE GO 40 E 52ND STREET

NEW YORK

FOLD AND TEAR HERE

# RENEWAL ADVISORY RECEIVED JAN 2 9 2013

Serial #: 1027037

Key: 131NEWOP0008460252

License fee:

Filing fee:

Total fee due:

60 51 97

4,352.00

90.00 4,442,00

New effective date:

New expiration date:

03/01/2013

02/28/2015

Premises Address:

STARJEM LLC FRESCO ON THE GO 40 E 52ND STREET NEW YORK, NY 10022

This letter is to notify you that your current license is due to expire on 02/28/2013. The renewal procedures have changed so please review all forms / instructions carefully.

### THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.

The renewal application form can be found on the Authority's website at www.sla.ny.gov/renewals

You must complete the renewal application and return it with this renewal advisory to the address below:

> M&T Bank Lockbox New York State Liquor Authority PO Box 8000-Dept 930 Buffalo, New York 14267

You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.

The required Community Board / Municipality notice form for on-premises licensees is also available on our website. You must notify the Community Board / Municipality at least 30 days prior to sending the renewal forms to the Authority.

NOTE: Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.

# FOR RENEWAL INFORMATION VISIT OUR WEBSITE AT:

# WWW.SLA.NY.GOV/RENEWALS

If Undeliverable Return To: NYS Liquor Authority 80 S. Swan St., Suite 900 Albany, NY 12210

> STARJEM LLC FRESCO ON THE GO 40 E 52ND STREET NEW YORK, NY 10022

**RENEWAL ADVISORY** 

# **RENEWAL APPLICATION / INSTRUCTION FORM**

# The Renewal Advisory previously mailed to you <u>must</u> be submitted with this Renewal Application

PLEASE ALLOW TEN(10) BUSINESS DAYS FOR PROCESSING. BE ADVISED THAT ANY DEFICIENCY IN THE APPLICATION OR FAILURE TO PROVIDE ALL SUPPORTING DOCUMENTATION WILL DELAY THE PROCESSING OF YOUR RENEWAL OR MAY LEAD TO THE DISAPPROVAL OF YOUR RENEWAL.

Documents to include with your renewal application:

- 1. Completed Renewal Application form and Renewal Advisory;
- 2. Personal, business, bank check or money order in the total amount due as listed on the invitation to renew. Write your license serial number on the check. Submit a check or money order with the Renewal Application. Make check or money order payable to New York State Liquor Authority.
- 3. Original surety bond in the appropriate amount; **SIGNED BY THE LICENSEE**; and with the expiration of the bond

being the same as the license expiration date on the Renewal Advisory previously mailed to you. The bond must have the premises name and address typed exactly as it appears on your license certificate;

4. Notice of appearance if an attorney or representative assisted in completing this renewal application.

### FOR NEW YORK CITY LICENSEES ONLY

- 5. Renewal Application Notice Form as required by Section 109 Subdivision 2 of the ABC Law;
  - 5a. Proof of 30-day notice to the Community Board which consists of:
    - a. A copy of the certified mail receipt or a copy of the certified mail card return receipt requested; or
    - b. A copy of the delivery receipt from a commercially recognized delivery service; or
    - c. A copy of the renewal application notice form date-stamped by the Community Board.

If there have been any changes to the principals of the license, any physical changes to the establishment or changes to the approved method of operation you must file the appropriate change application that can be found on our website at: <a href="www.sla.ny.gov">www.sla.ny.gov</a>. You must receive approval from the Authority before making any such changes.

The completed application and any supporting information, including the Renewal Advisory, should be mailed to our bank lockbox address of:

M&T Bank Lockbox
New York State Liquor Authority
PO Box 8000-Dept 930
Buffalo, New York 14267

# **RETAIL-RENEWAL**

Please complete all of the fields provided in the form. If the Trade Name has changed since the last renewal filing you must also include a filing receipt or a certificate of assumed name with the renewal application. Other changes noted on the renewal application do not constitute proper notification to the Authority, nor does the approval of the renewal application constitute approval of any changes listed in the renewal, other than the Trade Name change.

s your		d Prem d premi:	ses closed?	<del>-</del> -	ES NO						
f yes, i:	s your li	icense ir	n safekeepin	g with th	ne New Yo	ork State Liq	uor Aut	hority?	YES	_ No	
Licensed Premises Name: Starjem LLC								License Serial #: 10270		037	
rade Na	rade Name (if applicable):				50			Effective Date:		01/03/2013	
ederal E	mployer	ldentificat	ion Number :				_	Expi	ration Date	: 02/28/2013	
you hol	ld an on-p	oremises li	ense, please se	lect the m	ethod of op	eration from the	 ≘ followin	g list:		·	
		_	ar/Tavern lub (i.e., Fratern	○Caba	aret OHotel	○Cafe ○Night Club	⊖Cate	_	ablishment ) Restaurant	:	
agreed Board ( Attach Addres	to with or place addition	the locaed on yo	current licens al Municipalit ur license by ts if necessa ad Premises	ty/ Comn / the Aut	nunity <sub>No</sub>	one					
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# **RETAIL-RENEWAL**

## 2. Arrest/Conviction Information

Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been ARRESTED and/or CONVICTED during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations? 

YES 
NO 
Previously Reported

If YES, complete the chart below and where applicable, submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If necessary, attach additional sheets.

Name of the Defendant	Connection with Licensed Premise (licensee, officer)	Date of Offense	Nature of the arrest and/or conviction	Disposition

# 3. Applicant Information and Certification

The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions.

### A. Sole Proprietor (This section must be completed, signed and dated by the sole proprietor.)

Print Name:		Date of Birth:		Social Securit	y #:
Residence street address	:		10.110		
City:	St	rate:	Zip Code:		
Telephone # (include are	a code):		Cell Phone # (incl	ude area code):	
Signature		Title			Date

# B. Partnership (This section must be completed, signed and dated by each partner.)

Print Name:		Date of Birth:	So	ocial Security #:	
Residence stree	et address:				
City:		State:	Zip Code:		
Telephone # (ir	nclude area code):		Cell Phone # (include ar	ea code):	
Partner Sign	ature	Title		Date	

# **RETAIL-RENEWAL**

# B. Partnership (Continued -attach additional sheets if necessary)

Print Name:			Date of Birth:		Social Security	y #:
Residence st	reet address:					
City:		Sta	ite:	Zip Code:		
Telephone #	(include area code):			Cell Phone # (	include area code):	
Partner Sign	ature	**************************************	Title			ate
C. Corpora	ation, LLC or LLP ncipal should be the	(This section primary poi	n must be com int of contact.	pleted, signe	d and dated by an a	uthorized officer.
Print Name:	Elaina Scotto		Date of Birth:		Social Security	, #:
Residence sti	reet address:					
City:		Sta	te:	Zip Code:		
Title:	LLC Member					
Telephone #  Authorized S	(include area code):		LLC Title	Cell Phone #( Member	include area code):	01/25/2013
All remain	ing Principals on	the license	must be list	ed below.	U	ate
Print Name:	Marion Scotto	eded to inclu	de all princip  Date of Birth:	als)	Social Security	. #:
Residence str	reet address:					
City:		Stat	te:	Zip Code:		
Title:	LLC Member					
Telephone # (	(include area code):			Cell Phone # (	nclude area code):	
Print Name:	Anthoný Scotto, Jr		Date of Birth:		Social Security	#:
Residence str	eet address:					·
City:		Stat	e:	Zip Code:		
Title:	LLC Member					
Telephone # (	(include area code):			Cell Phone # (i	nclude area code):	

# **RETAIL-RENEWAL**

### List of other principals continued (Attach additional pages as needed to include all principals)

Print Name:	Rosanna Scotto	Date of Birth:		Social Security #:
Residence str	eet address:			
City:		State:	Zip Code:	
Title:	LLC Member			
Telephone #	(include area code):	C	ell Phone # (inclu	de area code):
Print Name:		Date of Birth:		Social Security #:
Residence str	eet address:			
City:		State:	Zip Code:	
Title:				
Telephone # (	(include area code):	c	ell Phone # (inclu	de area code):
D. Club (Ti who has	his section must be complet been approved by the State	ed, signed and date e Liquor Authority. )	d by the Club Al	coholic Beverage Control (ABC) Officer
Print Name:		Date of Birth:		Social Security #:
Residence str	eet address:			
City:		State:	Zip Code:	
Title:				
Telephone # (	(include area code):	C	Cell Phone # (includ	de area code):

New York State Liquor Authority June 3, 1974	UNDER	THE NEW YORK ALC	OHOLIC BEVERAG	E CONTROL LAW
Application Number Bond Numb		This bond expires in 2015		ım of Bond O Plus Costs
KNOW ALL MEN BY THESE PRESENTS, th	at we	1 P 24 Mont commonwhite qualities	mo americanina presidente amarini. 🗼 a	
Name of Applicant	1	Address of Place of Bus	iness	
Starjem LLC dba Fresco On The Go	of of	40 East 52nd St	reet, New Yo	rk
in the county of New York	., Sta	te of NEW YORK	10022	, as Principal, and
Name of Insurance Company		Address of Office or usu		
WESTERN SURETY COMPANY		Sioux Falls, S	Sox 5077 SD 57117-5077	;
a surety company approved by the Superinten authorized to transact business in New York St York in the penal sum set forth above and for textent of One Thousand Dollars (\$1,000.00) for principal and surety, bind ourselves, successors WHEREAS, the above bounden principal is m permit under the Alcoholic Beverage Control Lethe Official Compilation of the Codes, Rules and having required the principal to file with it a bo NOW, THEREFORE, the conditions of this oblig the date designated in said license or permit, is permit period, suffer or permit any violation of	ate, as Surety, a che payment of a the payment of a the payment of, and assigns, reaking application we and the said a Regulations of nd to the People ation are such t granted to the sthe provisions of the payment of a	re held and firmly bou iny costs taxed or allo which sum or sums, verspectively, jointly and in to the New York State Liquor Authority the State of New York of the State of New York hat if the said license and principal and the positive of the Alcoholic Bevers	nd unto the People of wed in any action or vell and truly to be reseverally, firmly by ate Liquor Authority, by Part 81 of Subi (Rule 9 of the Rules ork, as provided in sate properties as provided for orincipal will not, or the provided to the Rules of the Rules or permit applied for orincipal will not agree Control Law, or the same of the Rules of the R	f the State of New proceeding to the made, we, the said these presents. y, for a license or litle B of Title 9 of of the Authority), and I aw aforesaid, which expires on ring the license or of the rules of the rules of the rules of the rules.
Part 53 of Subtitle B of Title 9 of the Official Co 36 of the Rules of the State Liquor Authority), issuance of an order of warning, and will pay a taxed or allowed in any action or proceeding b Beverage Control Law, or of any of the rules re cancellation, revocation or suspension or issuar or Rules of the Authority, or costs taxed or allo Law; then this obligation shall be void; other conditions:	infortly, or give impilation of the for the cancellat all fines and per rought or institution or hereafter ice of an order owed in any reviewise to remain	cause, as provided in Codes, Rules and Region, revocation or suspatities which shall accited for a violation of issued by said State warning as provided we pursuant to Section in full force and effe	the Alcoholic Bevera ilations of the State cension of said licens rue thereunder, toge any of the provision: Liquor Authority, of in the Alcoholic Beveral 121 of the Alcoholic ct: subject, however	ige Control Law or of New York (Rule se or permit or the ther with all costs of said Alcoholic for cause for the erage Control Law Beverage Control to the following
<ol> <li>An action for the breach of any condition for the violation of any provision of sa issued by the State Liquor Authority, on Subtitle B of Title 9 of the Official Community of the Rules of the Authority).</li> <li>The aggregate liability of the surety on</li> </ol>	r for cause as propilation of the C	rerage Control Law, of covided by the Alcohol codes, Rules and Reguind all defaults become	of any of the rules ic Beverage Control lations of the State of	now or hereafter Law or Part 53 of of New York (Rule
(\$1,000.00).	llowed in any a	ction or proceeding to	the extent of One	Thousand Dollars
<ol> <li>Upon the payment of any loss arising u the obligee against the principal to reco</li> </ol>	inder this bond, vor from the prin	the surety shall be su cipal any amount so p	progated to the right aid.	s and remedies of
<ol> <li>Any action brought for the penal sur expiration of the license or permit perion action or proceeding. In the event of determination, the period of 24 month litigation.</li> </ol>	od aforementioners of the institution is shall not con	ed, or for costs within n of any action or p nmence until the fina	one year after final croceeding to review l determination of the control of the c	disposition of any the Authority's the proceeding or
<ol><li>This bond shall be effective during the extension thereof.</li></ol>				- •
<ol> <li>A breach of any condition of this bond suspension of the aforesaid license or p unless said to post transcallation, sus of complete the little and the condition.</li> </ol>	shall be deemed ermit or the iss pension or order	to have been establis uance of an order of w of warning shall have	hed by the revocatio arning by the State been reversed or an	n, cancellation or Liquor Authority nulled by a Court
of A breach of any condition of this bond suspension of the aforesaid license or punless said by condition, cancellation, sus of consecution or proceeding to recover any of consecution or proceeding to recover any of consecution or proceeding to recover any of consecution of proceeding the consecution of the state of the official 9 of the Rules of the State Liquor Authors	v York without is clusively presunt the State Lic ile signature of and binding on it Compilation of city).	urther proof of due ex ned to have been du juor Authority and bea its representative sha t, its successors and a Codes, Rules and Regu	ecution thereof by o ly executed by and aring the printed or ll be conclusively pro- ssigns for the amoun lations of the State of	as Surety waive roper or defective penal sum of the lature. Any bond f the State Liquor on behalf of the on behalf of the facsimile name of esumed to be the t specified in Part of New York (Rule
IN WITNESS WHEREOF the parties here  31 day of January	2013	Q Ti	37TU CT //	ושוא מססדש עים
Name of issuing agency GLOBAL COVERA	GE, INC.	AddressYOR	K, NY 10016-2 none # (212)683	2897
Starjem LLC dba Fresco (In The Go Principal (Applicant/Hitensee)			SURETY C	OMPANY
•	ВУ	Paul T. Bruflat	Senior Vice Presiden	L. S.
Form 1480-A-4-2002		•	<i>(</i>	

Form 1480-A-4-2002

### ROBERT V. FERRARI

ATTORNEY AT LAW

630THIRD AVENUE, NEW YORK, N.Y. 10017 (212) 972-7040 TELECOPIER (212) 922-1939

E-MAIL: rvf@rvferrari.com

RICHARD H. BYRNES

January 3, 2013

Manhattan Community Board No. 5 450 Seventh Avenue, Suite 2109 New York, New York 10123

Re:

Starjem LLC

d/b/a Fresco On The Go 40 East 52<sup>nd</sup> Street

New York, New York 10022

Dear Sir/Madam,

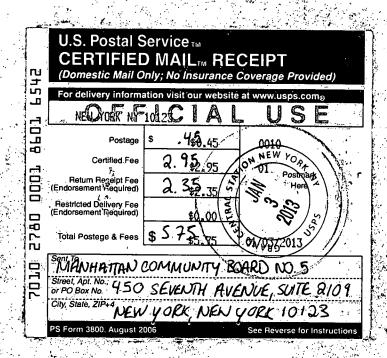
Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

obert V. Ferrari

Enclosure

Via Certified Mail/ Return Receipt Requested



STATE OF NEW YORK EXECUTIVE DEPARTMENT DIVISION OF ALCOHOLIC BEVERAGE CONTROL STATE LIQUOR AUTHORITY

4.

6.

TE OF NEW YORK	Sendon fined NOTICE FORM
CUTIVE DEPARTMENT	Standardized NOTICE FORM for Providing a 30-Day Advance Notice to a Local Municipality of
ISION OF ALCOHOLIC BEVERAGE (	
TE LIQUOR AUTHORITY	Atteration Application
Date the original convert ship Notice	- The street age Licens
THIS 30 DAY ADVANCE YOU	mailed to the Local Municipality or Community Board:
Name of the Local Municipality or Commun	IS BEING PROVIDED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD
Commun	Manhattan Community Roard No. 5
LICENSE APPLI	EY REPRESENTING THE APPLICANT IN CONNECTION WITH THE APPLICANT'S ICATION NOTED AS ABOVE FOR THE ESTABLISHMENT IDENTIFIED IN THIS NOTICE
Attorney's Full Name is:	Robert V. Ferrari
	630 Third Avenue, 16th Floor
City, Town or VIIIage:	New York   State: New York   Zip Code: 10017
Business Telephone Number of Attorney:	(212) 972-7040
FOR C	PLICANTS, PROVIDE DESCRIPTION BELOW USING ALL INFORMATION KNOWN TO DATE PPLICANTS, ATTACH COMPLETE DESCRIPTION AND DIAGRAM OF PROPOSED ALTERATION(5) CURRENT LICENSEES, SET FORTH APPROVED METHOD OF OPERATION ONLY DO NOT USE THIS FORM TO CHANGE YOUR METHOD OF OPERATION
Type(s) of alcohol sold or to be sold under t	the license: (*X* One)
Extent of Food Service:	Restaurant (Sale of food primarily; Tavern/Cocktail Loungc/Adult Venue/Bar (Alcohol sales primarily)
	meets legal minimum focd availability requirements)
Type of establishment: ("X" all that apply)  Cabaret, Ni  Club (e.g. G	Live Music Disc Jockey Juke Box Patron Dancing (Small scale) Karaoke Bar light Club, (Large Scale Dance Club) Capacity for 600 or more patrons Bed & Breakfast X Restaurant Colf Catering Facility Stage Shows Topless Entertainment Page Page 1997 1997
Fraternal O	1 Oblige Shows   1 Obliges Entertainment   Decreational Partitional
icensed outdoor area: X None X' all that apply)	Rooftop Patio or Deck Freestanding Covered Structure Garden/Grounds
Sidewalk Ca	Cafe Other (Specify):None
Vill the license holder or a manager be phys	sically present within the establishment during all hours of operation? ("X" onc)
icense serial number: 1027037	Expiration Date: 02/28/2013
he applicant's or license holder's full name,	e, as it appears or will appear on the license: Starjem LLC
he Trade name, if any, under which the est	tablishment conducts or will conduct business: Fresco On The Go
he establishment is located within the build	Iding which has the following street address: 40 East 52nd Street
ity, Town, or Village: New Yor	
nc establishment is located on the following	g floor(s) of the building at the above address: First Floor
	e establishment is located within the room(s) numbered as follows:  Not applicable
usiness telephone number of applicant/lice	2.00 appriousic
usiness e-mail address of applicant/license	(212) /34-1001
es the applicant or license holder own the	huilding in which the countries and the countries are the countries and the countries are the countrie
	R OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED
	East 52nd Street L.P.
	Park Avenue
y, Town, or Village: New York	- Charles
sincss telephone number of building owner	1 2 1 2 9 0 1 0 1 0 1 0 1 0 1 0 1 0 1 0 1 0 1 0
am the applicant or hold the license or am	m a principal of the legal cutity that holds or is applying for the license. Pergresortations in this

7.	Directly of closed and and an analysis of the state of th					
	Type(s) of alcohol sold or to be sold under the license: ("X" One)  Beer Only  Wine and Beer Only  Liquor, Wine and Beer					
8.	Restaurant (Sale of food primarily; Full food menu; Kitchen run by chef)  Restaurant (Sale of food primarily; Full food menu; Kitchen run by chef)  Tavern/Cocktail Loungc/Adult Venue/Bar (Alcohol sales primarilymeets legal minimum food availability requirements)					
9.	Type of establishment: ("X" all that apply)  Hotel Live Music Disc Jockey Juke Box Patron Dancing (Small scale)  Cabaret, Night Club, (Large Scale Dance Club)  Capacity for 600 or more patrons  Bed & Breakfast  Restaurant  Club (e.g. Golf/ Fraternal Org.)					
10.	Licensed outdoor area: X None Rooftop Patio or Deck Freestanding Covered Structure Garden/Grounds  Sidewalk Cafe Other (Specify):None					
11.	Will the license holder or a manager be physically present within the establishment during all hours of operation? (FY* one)					
12.	License serial number: 1007007					
13.	The applicant's or license holder's full name, as it appears or will appear on the license: Starjem LLC					
14.						
15.	The could like the					
16.	City Town or Village: Nexty Vords					
17.	The establishment is located on the following floor(s) of the building at the above address: First Floor					
18.	Within the building of the shows all					
19.	2.00 approache					
20.	Business telephone number of applicant/licensee: (212) 754-2700 Business fax number of applicant/licensee: (212) 754-1661 elaina@frescobyscotto.com					
21.	Does the applicant or license holder own the building in this					
!	OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED  OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED					
22.	Building owner's full name is: 40 East 52nd Street L.P.					
23.	Building owner's street addrcss: 345 Park Avenue					
24.	City, Town, or Village: New York   Natr   Zip Code: 10154					
5.	Business telephone number of building owner:					
6.	l am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with relied upon, and that false representations may result in disapproval of the application or revocation of the license.  By my signature, I affirm – under Penalty of Perjury – that the representations made in this form are true.					
1	Elaina Scotto  Authorized Person					
Rev	vised 5/23/12					





EFFECTIVE DATE: 02/07/2013 EXPIRATION DATE: 02/28/2015

CERTIFICATE #: 819364

# NEW YORK STAWE BOUGER AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES: IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT—AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW

METHOD OF OPERATION

ON-PREMISES LIQUOR LICENSE

SERIAL #: 1027037

COUNTY: NEW YORK

RESTAURANT SERVING BEER WINE AND LIQUOR

STARJEM LLC FRESCO ON THE GO 40 E 52ND STREET

---NEW YORK

NY

10022

FILING FEE

\$90.00

\$4,352.00

Den

Dennis Rosen Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09

Certificate No. B819364

RENEWAL ADVISORMECTIVES LAN 3 0 2015

Serial #: 1027037

NEW / OP / 252

New Effective Date: 03/01/2015 New Expiration Date: 02/28/2017

**Premises Address:** 

**STARJEM LLC 40 E 52ND STREET NEW YORK, NY 10022**  License Fee: \$4,352.00 671819

fi -

Filing Fee: \$90.00

**TOTAL FEE DUE: \$4,442.00** 

This letter is to notify you that your current license is due to expire on 02/28/2015. The renewal procedures have changed so please review all forms / instructions carefully.

### THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.

The renewal application form can be found on the Authority's website at www.sla.ny.gov/renewals

You must complete the renewal application and return it with this renewal advisory to the address below:

> **M&T Bank Lockbox New York State Liquor Authority** PO Box 8000-Dept 930 Buffalo, New York 14267

You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.

The required Community Board notice form for New York City on-premises licensees is also available on our website. You must notify the Community Board at least 30 days prior to sending the renewal forms to the Authority.

NOTE: Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.

City:

### ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL

1.` Lice	ensed Pren	nises Infor	matio	n				
ls your lic	ensed premises c	losed? O YES	NO     No					
lf yes, is y	our license in safe	ekeeping with th	e Authori	ity? O YES	O NO			
If yes, do	you wish for your	license to remai	n in Safel	keeping at Ren	ewal? O YE	S ONO		**
						is in Safekeeping a seeping for an indef		
Licensed I	Premises Name:	Starjem LLC				License Serial #:	1027037	
Trade Nar	me (if applicable):	Fresco By Scotto	On The G	0				2
Federal Er	mployer Identificat	ion Number:						尺 等
includin	ng beer, beer &	wine, or beei	, wine &	liquor		red by all On-Pr		.1
						of establishment or	perated at the	
If you hold	d an <b>on-premises</b>	license, please se	lect the m	ethod of operat	ion from the f	ollowing list:	•	I
Restau	rant OCatering	g Establishment	OClub	(i.e., Fraternal (	Org) OHote	Bed & Breakfas	t OBall Pa	ark/Stadijum/Arena
Bar/Ta	vern OSports E	Bar OCabare	: ONi	ght Club/Dance	club O	Adult Entertainment	○Count	try Club/ Golf Course
If dancing	is permitted at the	e premises, who i	s be permi	itted to dance?	O Patro	ns C Employee	es for entertai	nment O Both
If dancing	is permitted, is th	ere exotic dancin	g includin	g, but not limite	ed to, pole dar	ncing and/or lap dan	cing?	) YES   NO
Is there to	ppless entertainme	nt at the premise	s? O	YES NO				
associate agreed to Board or Attach ac 1b. Add		ent license that vicense that vicense by the Autonomers of the Aut	vere nmunity thority. <u>es</u> s a resul			se provide proo //Community Bo		ange such as
Licensed	Premises Address:	40 East 52nd St	reet					
City:	New York	10 203 (32 110 0)	State:	NY		Zip Code: 10	0022	
County:	New York		Email A	Address:	elaina@	frescobyscotto.com	າ	16
Premises	Telephone # (incli	ude area code):	(212)	754-2700	Contact Pho	one # (include area c	ode): (2	212) 972 7040
Mailing	Address (if dit	fferent than pi	emises o	address)				
Mailing /	Address:							
City:			State:			Zip Code:		

# **RETAIL-RENEWAL**

ord Name	e: 40 East 52nd	Street L.P.							ř.
ess:	345 Park Ave	enue					*	•	
New	York		State:	I <u>Y</u>		Zip Code:	10154		
ne applic or empl nded ser , comple from Dis	/Conviction ant or (if partner oyee of the approximation of any te the chart belians from to	ership) any o olicant, been felony or of O ow. Submit he Court Cle	f the partne ARRESTED a any other cr YES NC a Police Rep rk for each c	nd/or CONVIC me or offense Previo ort, Certificate ase. If the cha	TED during the of any kind exustly Reported of Disposition	nis renewal pe kcept minor t l n, Certificate	eriod (inclu raffic viola of Convict	uding plea ations? tion or a Ce	s of guertification
ourt app	earance. If ned	essary, atta	cn additiona	i sneets.					₹ <u>†</u>
Name of	the Defendant	Pre	with License mise e, officer)	Date of Offense	Nature of the	. 1	Di	sposition	in de
							<del></del>		1.
									i ĝ
									Š
gnature are true er certify he condi	cant Information below certifies of my own know that I have readitions.	that I know wledge; and d the terms :	the contents that I am au and conditio	of this applica thorized to ex ns included wi	ntion and the ecute this app	lication and	sign this co enewal an	ertification nd agree to	ı. I
A. Solo		11113 366116	n must be	completed, s	igned and d	lated by the	sole pro	prietor.)	
Print Na	me:			Date of Birth:	igned and d		sole pro		r.
Print Na	me: ce street addres			Γ	igned and d		<u>-</u>		it if
Print Na				Date of Birth:	Zip Code:		<u>-</u>		if it
Print Na Residen City:		s:		Date of Birth:	Zip Code:		ial Security		it
Print Na Residen City:	ce street addres	s:		Date of Birth:	Zip Code:	Soc	ial Security		if it

### **RETAIL-RENEWAL**

# B. Partnership (This section must be completed, signed and dated by each partner.) Attach additional sheets if necessary

Print Name:	Date of Birth:	Social Security #:	<u>r</u> ;
Residence street address:			90.00 1 2.00 4.30
City:	State: Zip Co	de:	
Telephone # (include area code):	Cell Phone	# (include area code):	*
	_		
Partner Signature	Title	Date	
L	Date of Birth:	Social Security #:	
Residence street address:	Date of Birth:  State: Zip Code		÷7
Print Name:  Residence street address:  City:  Telephone # (include area code):	State: Zip Code		17. 1. 1.
Residence street address:  City:	State: Zip Code	:	:

# C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer. This principal should be the primary point of contact.)

Print Name:	Elaina Scotto	Date of Birth	n:	Social Securi	ty #:	1 × 1
Residence str	reet address:					TK K
City:		State:	Zip Code:			
Title:	LLC Member			<i>;</i>		
Telephone #	(include area code):		Cell Phone # (i	nclude area code):		
Authorized S	signature		LC MEMVON	<del></del>	1/23/15 Date	

Telephone # (include area code):

### **RETAIL-RENEWAL**

`C. - Continued - All remaining Principals on the license must be listed below. (Attach additional sheets as needed to include all principals) Print Name: Marion Scotto Date of Birth: Social Security #: Residence street address: ٠, City: State: Zip Code: Title: LC Member Telephone # (include area code): Cell Phone # (include area code): Social Security #: Print Name: Anthony Scotto, Jr Date of Birth: Residence street address: City: State: Zip Code: Title: LC Member Cell Phone # (include area code): Telephone # (include area code): Rosanna Scotto Social Security #: Print Name: Date of Birth: Residence street address: City: State: Zip Code: Title: LLC Member Cell Phone # (include area code): Telephone # (include area code): Social Security #: Print Name: Date of Birth: Residence street address: City: Zip Code: State: £Ł, Title:

Cell Phone # (include area code):

renapp.rev-09/06/13

**RETAIL-RENEWAL** 

D. Club (This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority.)

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State: Zip Coo	de:
Title:		 A
Telephone # (include area code):	Cell Phon	ne # (include area code):
Authorized Signature	Title	Date S

Bond Form L-9 Prescribed by the New York State Liquor Authority

Form 1480-A-4-2002

# BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

fune 3, 1974			
Application Number	Bond Number	This bond expires in	Penal Sum of Bond \$1,000.00 Plus Costs
KNOW ALL MEN BY THESE	DRESENTS that we	2017	φτισυσίου rius Costs
Name of Applicant	r KDODIVIO, tilat we	Address of Place of Business	
		of	
Starjem LLC dba Fresco	On The Go	40 East 52nd Stree	*
the county of New York		, State of <u>NEW YORK</u>	10022, as Principal, an
Name of Insurance Company	,	Address of Office or usual P P.O. Box 5	
WESTERN SURETY	COMPANY	Sioux Falls, SD 5	
uthorized to transact business in ork in the penal sum set forth extent of One Thousand Dollars in incipal and surety, bind ourselv HEREAS, the above bounden permit under the Alcoholic Bever he Official Compilation of the Chaving required the principal to 100W, THEREFORE, the condition he date designated in said licensermit period, suffer or permit a now or hereafter issued by said Sert 53 of Subtitle B of Title 9 of 16 of the Rules of the State Liquid Susuance of an order of warning, axed or allowed in any action of Severage Control Law, or of any ancellation, revocation or suspendent the substitle B of Title 9 of 18 of the Authority, or cost aw, then this obligation shall conditions:  1. An action for the breach for the violation of any issued by the State Liquid Subtitle B of Title 9 of 136 of the Rules of the Authority of Severage by the State Liquid Subtitle B of Title 9 of 136 of the Rules of the Authority of the Authority of the Authority of Severage by the State Liquid Subtitle B of Title 9 of 136 of the Rules of the Authority of the Authority of the Authority of Severage by the State Liquid Subtitle B of Title 9 of 136 of the Rules of the Authority of the Authority of the Authority of Severage and the obligee against the principal severage and severage and severage and severage and sure of the Authority of the Authority of the Authority of the State Liquid Authority of the State Liqui	New York State, as Sura above and for the paymer (\$1,000.00) for the paymer yes, successors, and assign principal is making applage Control Law and the odds, Rules and Regulation of the provision of this obligation are sie or permit, is granted to my violation of the provision of the Official Compilation or Authority), for the can and will pay all fines an reproceeding brought or in of the rules now or her insion or issuance of an or staxed or allowed in any be void; otherwise to record and control of this begrovision of said. Alcoholor Authority, or for cause of fines and control of the surety on account of the penal sum of this or permit period aforement the event of the instance of the surety of the time the account of the surety of the time the surety of the official conclusively bond filed with the Stritten or facsimile signaturety company and bind of the Official Conclusively bond filed with the Stritten or facsimile signaturety company and bind of the Official Conclusively aparties hereto have	ety, are held and firmly bound ut of any costs taxed or allowed int of which sum or sums, well and of which sum or sums, well and of which sum or sums, well and, respectively, jointly and seve ication to the New York State said State Liquor Authority, by ms of the State of New York (Rulescope of the State of New York, such that if the said license or per the said principal and the collection, revocation or suspensid pensities which shall accrue the stituted for a violation of any eafter Issued by said State Liquider of warning as provided in the review pursuant to Section 121 main in full force and effect: sond may be maintained without its Beverage Control Law, or of as provided by the Alcoholic Bethe Codes, Rules and Regulation any and all defaults hereunder any action or proceeding to the bond, the surety shall be subrog e principal any amount so paid, bend shall be commenced with nitioned, or for costs within one intuition of any action or proceed to commence until the final deforementioned license or permit elemed to have been established he issuance of an order of warning shall have been don't the principal and the compaincluding, but not limited to, at the principal and the compaincluding, but not limited to, at the principal and the compaincluding, but not limited to, at the principal and the compaincluding, but not limited to, at the principal and the compaincluding, but not limited to, at the principal and the compaincluding, but not limited to, at the principal and the compaincluding, but not limited to, at the principal and the compaincluding, but not limited to, at the principal and the compaincluding, but not limited to, at the principal and the compaincluding, but not limited to, at the principal and the compaincluding to the pri	Liquor Authority, for a license Part 81 of Subtitle B of Title 9 le 9 of the Rules of the Authority as provided in said Law aforesaid rmit applied for, which expires cipal will not, during the license control Law, or of any of the rule Alcoholic Beverage Control Law ons of the State of New York (Rules of the provisions of said Alcoholic Beverage Control Law of the provisions of said Alcoholic Authority, or for cause for the Alcoholic Beverage Control La of the Alcoholic Beverage Control La of the Alcoholic Beverage Control La of the Alcoholic Beverage Control Law of the State of New York (Rules of the State Inquired State of New York (Rules of New York (Rules of New York) (Rules of New York (Rules of New York) (Rules of New York
	nuary 2015 BAL COVERAGE, INC	Address YORK	37TH ST., 4TH FLOOR, N NY 10016-2897
	•		e#_(212)683-2622
Starjem I.C. dba Fresco Principal (Applic BY:	and Licensee)	BY: Falt	Surety COMPAN  Surety  Linior Vice Pesident

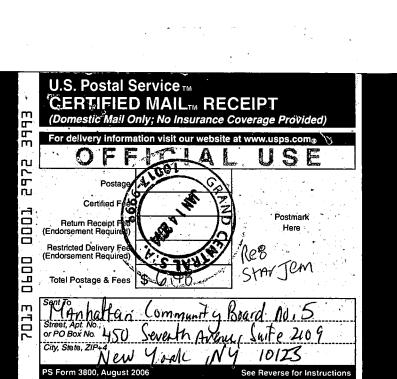


Rider to be attached to Bond No.



### NEW YORK LIQUOR BOND RIDER

This rider is valid only when used to amend Retail On and Off Premises Bonds (Bond Form L-9, prescribed by the New York State Liquor Authority, June 3, 1974) where the penalty does not exceed One Thousand Dollars (\$1,000).
It is hereby mutually agreed and understood by and between the Principal, Starjem LLC dba Fresco On
The Go , and Western Surety Company, a corporation
organized and existing under the laws of the State of South Dakota and authorized to transact business in New York State, as Surety, that
the principal's address on this bond has been changed as follows:
the principal(s) on this bond has(have) been changed as follows:
Starjem LLC dba Fresco By Scotto On The Go
the date(s) of (enter effective date or expiration date or both) this bond has(have) been changed as follows:
This bond is amended to include additional space included in the licensed premises:
The county has been amended to:
Nothing herein contained shall be held to vary, alter, waive, or extend any of the terms, limits, or conditions of the bond, except as hereinabove set forth.
This rider becomes effective on the <u>lst</u> day of <u>March</u> , <u>2015</u> , at twelve and one minute o'clock a.m., standard time.
Signed this 21st day of January , 2015  BY:
Principal V V WESTERN SURPTY COMPANY, Surety
BY: Paul T. Bruflat, Senior Vice President  Form 1788-4-2002



### **Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
  - A record of delivery kept by the Postal Service for two years

### Important Reminders:

- □ Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS? PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.

  For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the condergroup.
- endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail. IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

### FERRARI & FERRARI LLP

Attorneys at Law 630 THIRD AVENUE, 18<sup>TH</sup> FLOOR, NEW YORK, N.Y. 10017 (212) 972-7040 TELECOPIER (212) 922-1939

ROBERT V. FERRARI rvf@rvferrari.com MICHAEL FERRARI mf@rvferrari.com

January 14, 2015

Manhattan Community Board No. 5 450 Seventh Avenue, Suite 2109 New York, New York 10123

Re:

Starjem LLC

d/b/a Fresco On The Go 40 East 52<sup>nd</sup> Street

New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,

Mickola Mannings Paralegal/Secretary

Enclosure

Via Certified Mail/ Return Receipt Requested

· •.	•
rev 10/23/13 OFFICE USE ONLY	49
Original Amended Date State of New York Standardized NOTICE FORM for Date	
Executive Department Standardized NOTICE FORM for Providing 30-D	<u>Pay Advanced Notice</u> to a
	lity or Community Board
State Liquor Authority	(Page 1 of 2 of Form)
1. Date Notice was Sent: (mm/dd/yyyy) 01/14/2015	: :
2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage	
New Application	e License
This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Con	nmunity Board
3. Name of Municipality or Community Board Manhattan Community Board No. 5	
Applicant/Licensee Information	
4. License Serial Number, if not New Application: 1027037 Expiration Date, if not New	Application: 02/28/2015
5. Applicant or Licensee Name: Starjem LLC	7. pp. ication. 02/20/20/3
6. Trade Name (if any): Fresco On The Go	
7. Street Address of Establishment: 40 East 52nd Street	
8. City, Town or Village: New York ,NY Zig	Code: 10022
9. Business Telephone Number of Applicant/Licensee: (212) 754-2700	
10. Business Fax Number of Applicant/Licensee: (212) 754-1661	
11. Buisness E-mail of Applicant/Licensee: elaina@frescobyscotto.com	·
For Now applicants annuity of the second	
For New applicants, provide description below using all information known to For Alteration applicants, attach complete description and diagram of proposed al For Current Licensees, set forth approved Method of Operation only. Do Not Use This Form to Change Your Method of Operation.	odate. teration(s).
12. Type(s) of Alcohol sold or to be sold: ("X" One) Beer Only Wine & Beer Only X Liquor, W	ine & Beer
Restaurant (Sale of food primarily;  Full food menu; Kitchen run by chef)  Tavern/Cocktail Loung  Full food menu; Kitchen run by chef)  availability requiremen	
A. Type of Establishment: ("X" all that apply)    A. Type of Establishment: ("X" all that apply)    Capacity of 600 or more patrons   Topless Entertainment   Recreational Facility (Sports Facility/Vessel)   Club (e.g. Golf Club/Fratern)     Seasonal Establishment	ub) Catering Facility nt Hotel
5. Licensed Outdoor Area None Patio or Deck Rooftop Garden/Grounds Freest	
5. Licensed Outdoor Area:  X None   Patio or Deck   Rooftop   Garden/Grounds   Freest   Garden/Grounds   Freest   Garden/Grounds   Freest   Freest   Garden/Grounds   Freest   Freest   Garden/Grounds   Garden/Grounds   Freest   Garden/Grounds   Garden/Grounds   Freest   Garden/Grounds   Garde	anding Covered Structure
	Page 1:

rev	1	0/	23	/1	3
	٠.	v		"	

	OFFICE USE	ONLY
Original	○ Amended	Date

State of New York Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a **Executive Department** Division of Alcoholic Beverage Control **Local Municipality or Community Board** State Liquor Authority (Page 2 of 2 of Form) 16. List the floor(s) of the building that the establishment is located on: First Floor 17. List the room number(s) the establishment is located in within the building, if appropriate: NONE 18. Is the premises located with S00 feet of three or more on-premises liquor establishments? 🔀 Yes 📋 No 19. Will the license holder or a manger be physically present within the establishment during all hours of operation? X Yes No 20. Does the applicant or licensee own the building in which the establishment is located? ("X" One) Yes (If Yes SKIP 21-24) 🔀 No Owner of the Building in Which the Licensed Establishment is Located 21. Building Owner's Full Name: 40 East S2nd Street L.P. 22. Building Owner's Street Address: 345 Park Avenue 23. City, Town or Village: New York State: NY Zip Code: 10154 Attorney Representing the Applicant in Connection with the Applicant's License Application Noted as Above for the **Establishment Identified in this Notice** 25. Attorney's Full Name: Ferrari & Ferrari LLP- Robert V. Ferrari 26. Attorney's Street Address: 630 Third Avenue, 18th Floor 27. City, Town or Village: New York State: NY Zip Code: 10017 28. Business Telephone Number of Attorney: (212) 972-7040 29. Business Email Address of Attorney: (212) 922-1939 l am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license. By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true. 30. Printed Name: Elaina Scot Title Authorized Person Signature: X

Page 2

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	OFFICE USE C	NLY	
Original	O Amended	Date	

### **STATE OF NEW YORK**

### **NOTICE OF APPEARANCE**

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.

Division/Bureau:	Renewals	
1. Name of indivi	dual appearing	Ferrari & Ferrari LLP- By Michael Ferrari
Address:	630 Third Avenu	ue, 18th Floor, New York, NY 10017
Telephone	(212) 972-7040	
Email:	mf@rvferrari.cor	m
2. Client represei	nted: Starjem LLG	C d/b/a Fresco By Scotto On The Go- Serial No. 1027037
Address:	40 East 52nd Str	reet, New York, NY 10022
Telephone	(212) 754-2700	
3. Subject of appo	earance: 🔀	Regulatory/Enforcement Lobbying
	for renewal of on-posity of:  Lobbyist	Regulatory/Enforcement Lobbying remises liquor license.
Filing application  4. Acting in capace  Attorney	for renewal of on-posity of:  Lobbyist scribe)	remises liquor license.  Agent  No
Filing application  4. Acting in capac  Attorney  Other (de	for renewal of on-posity of:  Lobbyist scribe)	remises liquor license.  Agent  Yes
Filing application  4. Acting in capac  Attorney  Other (de	for renewal of on-positive of:  Lobbyist scribe) compensated neck FEE or SA	remises liquor license.  Agent  Yes No LARY FEE SALARY
Filing application  4. Acting in capace Attorney Other (de  5. Are you being  If YES, Cl	for renewal of on-process city of: Lobbyist scribe) compensated neck FEE or SAI	remises liquor license.  Agent  Yes

<sup>\*</sup>A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.



ANDREW M. CUOMO GOVERNOR

# STATE OF NEW YORK EXECUTIVE DEPARTMENT DIVISION OF ALCOHOLIC BEVERAGE CONTROL STATE LIQUOR AUTHORITY

ALFRED E. SMITH BUILDING 80 SOUTH SWAN STREET, SUITE 900 ALBANY, NY 12210-8002 www.Sla.ny.gov DENNIS ROSEN

JEANIQUE GREENE

KEVIN KIM

STARJEM LLC 40 E 52ND STREET NEW YORK, NY 10022 elaina@frescobyscotto.com

Date: 2/4/15

Batch #6718

Item #19

Serial #1027037

THIS WILL BE THE ONLY NOTICE SENT. FAILURE TO COMPLY WITHIN 15 DAYS MAY RESULT IN THE DISAPPROVAL OF YOUR RENEWAL APPLICATION

Submit Copy of Certificate of Assumed Name Filing Receipt or Business Certificate (Trade or DBA name)

HOWEVER, YOU MUST SUBMIT THE NECESSARY PAPERWORK WITHIN 15 DAYS OF THIS NOTICE. FAILURE TO DO SO COULD RESULT IN DISCIPLINARY CHARGES BROUGHT AGAINST YOU.

<u>Please return the items requested to the address above or email to</u>
Renewals@sla.ny.gov.

Be sure to indicate the Serial # of your license.

### FERRARI & FERRARI LLP

Attorneys at Law 630 Third Avenue, 18<sup>th</sup> floor, New York, N.Y. 10017 (212) 972-7040 TELECOPIER (212) 922-1939

ROBERT V. FERRARI rvf@rvferrari.com MICHAEL FERRARI mf@rvferrari.com

February 5, 2015

Sent via email:
New York State Liquor Authority
80 South Swan Street, Suite 900
New York, NY 12210-8002
Attn: Renewals

Re: Starjem LLC d/b/a Fresco On The Go 40 East 52<sup>nd</sup> Street, New York, New York 10022 Serial No. 1027037

Dear Sir/Madam,

In response to the recent deficiency renewal letter dated February 4, 2015 for the above referenced matter, the renewal application was sent to the Authority with the wrong the trade name of Fresco By Scotto On The Go. Please note the trade name has not changed and remains Fresco On The Go. Please see attached bond rider with the correct trade name, a copy of the deficiency letter, and the amended page 2 of the renewal application with correct the trade name.

If you have any questions please feel free to contact our office.

Sincerely,

Michael Ferrari

# RETAIL-RENEWAL ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL

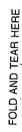
1. Lic	ensed Pren	nises Info	rmatio	on '					
is your li	icensed premises (	closed? O YE	S	)					
if yes, is	your license in saf	ekeeping with	the Autho	ority? () YES	O NO				
	you wish for you					S ONO		:	
If yes to	any of the above, remises to re-ope	submit a stater	nent aivin	a the reason	4h-441-11		ng and the definite pe	date that is eriod of time	pianned
Licensed	Premises Name:	Starjem LLC				License Serial	#: 10270	)37	
Trade Na	ame (if applicable):	Fresco On The	Go					:	
Federal B	mployer Identifica	tion Number :					•		
<u>1a. Me</u> includi	thod of Operat ng beer, beer &	ion: The foll wine, or be	owing q	uestions m & liquor	ust be answe	ered by all On-	-Premise	s license l	rolders,
	09 of the ABC Law				dicating the type	of establishment	t operated	o+ +b =	
lf you hol	ld an <b>on-premises</b>	license, please s	elect the m	nethod of oper	ration from the	following list	i operated	at the premi	ses.
Restau		g Establishment				l OBed & Break	ifast OE	Ball Park/Stac	dium/Arena
○Bar/Ta	ivern OSports B	Bar OCabare	et ON	ight Club/Dan	ice Club 🔘	Adult Entertainme	ent Or	Country Club	/ Golf Course
If dancing	g is permitted at the	e premises, who			_	•		tertainment	
lf dancing	is permitted, is the	ere exotic dancir	na includin	a but not lim	itad ta mala da				0 00017
ls there to	ppless entertainme	nt at the premise	es?	YES NO		icing and/or lap d	lancing?	○ YES	NO     No
associate agreed to Board or Attach ac 1b. Adc If your a	st any condition(s) ed with your curre o with the local Ma placed on your lic dditional sheets if dress of the Lice address has bee tion of the 911	nt license that unicipality/Corense by the Aunecessary.  ensed Premisen Changed a	were nmunity thority.	NONE t of a 911 c	hange, pleas Municipality	se provide pro	of of the	change s	uch as
	Premises Address:					Community			7
City:	New York		State:	NY		Zip Code:	10022		]
County:	New York		Email A	ddress:	elaina@	frescobyscotto.co	m		_
Premises <sup>*</sup>	Telephone # (includ	de area code):	(212)	754-2700	Contact Phor	ne # (include area	code):	(212) 972-	7040
Mailing	<u>Address (if diffe</u>	erent than pr	emises a	ddress)				(212) 572	7040
Mailing A	<del> </del>				<del></del>				7
City:			State:			Zip Code:			]
									<b>-</b>

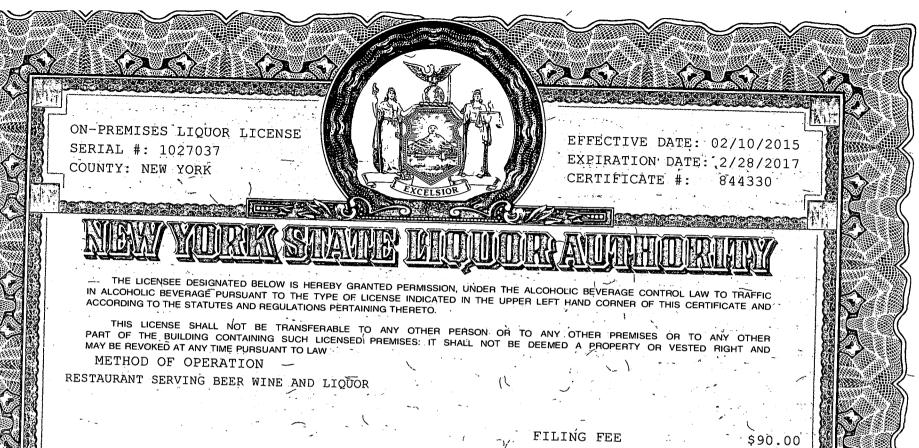


Rider to be attached to Bond No. 24883192

### NEW YORK LIQUOR BOND RIDER

This rider is valid only when used to amend Retail On by the New York State Liquor Authority, June 3, 197 Dollars (\$1,000).	and Off Premises Bonds (Bond Form L-9, prescribed 4) where the penalty does not exceed One Thousand
It is hereby mutually agreed and understood by and bet	tween the Principal, Starjem LLC
organized and existing under the laws of the State of S New York State, as Surety, that	, and Western Surety Company, a corporation South Dakota and authorized to transact business in
the principal's address on this bond has been cl	hanged as follows:
the principal(s) on this bond has(have) been ch	anged as follows:
Starjem LLC dba Fresco On The Go	
the (enter effective date or this bond has(have) been changed as follows:	expiration date or both) date(s) of
This bond is amended to include additional spa	ace included in the licensed premises:
The county has been amended to:	
Nothing herein contained shall be held to vary, alter, we of the bond, except as hereinabove set forth.	aive, or extend any of the terms, limits, or conditions
This rider becomes effective on the <u>31st</u> day of one minute o'clock a.m., standard time.	<u>January</u> , <u>2015</u> , at twelve and
Signed this 9th day of February	BY:
Form 1788-4-2002	BY: Paul T. Bruflat, Senior Vice President





STARJEM LLC
FRESCO ON THE GO
40 E 52ND STREET
NEW YORK NY 10022

LICENSE FEE

\$4,352.00

Dennis Rosen Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

SLA FORM 180-033 (10/09)

Certificate No.

B844330

ANDREW M. CUOMO Governor

RECEIVED FEB 1 3 2017

**VINCENT G. BRADLEY** 

Chairman

**GREELEY FORD** Commissioner

### RENEWAL ADVISORY

Serial #: 1027037

NEW / OP / 252

New Effective Date: 03/01/2017 New Expiration Date: 02/28/2019

**Premises Address:** 

STARJEM LLC

**40 E 52ND STREET** 

**NEW YORK, NY 10022** 

License Fee: \$4,352.00

Filing Fee: \$90.00

**TOTAL FEE DUE: \$4,442.00** 

This letter is to notify you that your current license is due to expire on <u>02/28/2017</u>. The renewal procedures have changed so please review all forms / instructions carefully.

THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.

### APPLICANTS SHOULD KEEP A COPY OF THE RENEWAL APPLICATION AND ALL SUPPORTING DOCUMENTS FOR THEIR RECORDS

The renewal application form can be found on the Authority's website at www.sla.ny.gov/renewals

You must complete the renewal application and return it with this renewal advisory to the address below:

> **M&T Bank Lockbox New York State Liquor Authority** PO Box 8000-Dept 930 Buffalo, New York 14267

You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.

The required Community Board notice form for New York City on-premises licensees is also available on our website. You must notify the Community Board at least 30 days prior to sending the renewal forms to the Authority.

NOTE: Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.

### FOR RENEWAL INFORMATION VISIT OUR WEBSITE

www.sla.ny.gov/renewals

If Undeliverable Return To: NYS Liquor Authority 80 S. Swan St., Suite 900 Albany, NY 12210



STARJEM LLC 40 E 52ND STREET NEW YORK, NY 10022

### **IMPORTANT – LICENSE RENEWAL ADVISORY**

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Bond Form L-9 Prescribed by the New York State Liquor Authority June 3, 1974

## BOND IN SUPPORT OF APPLICATION FOR LICENSE OR PERMIT UNDER THE NEW YORK ALCOHOLIC BEVERAGE CONTROL LAW

June 3, 1974	ONDE	M THE NEW YORK RECOIL	obic beverage control law
Application Number	Bond Number	This bond expires in	Penal Sum of Bond
KNOW ALL MEN BY THESE P	PESENTS that wa	2019	\$1,000.00 Plus Costs
Name of Applicant	MDODINIO, MIAV WO	Address of Place of Busines	38
Starjem LLC dba Fresco	On The Go	of 40 East 52nd Stre	et. New York
in the county of New York		State of NEW YORK	10022, as Principal, and
Name of Insurance Company		Address of Office or usual	
WESTERN SURETY C	OMPANY	P.O. Box Sioux Falls, SD	
a surety company approved by the authorized to transact business in York in the penal sum set forth all extent of One Thousand Dollars (\$ principal and surety, bind ourselve WHEREAS, the above bounden premit under the Alcoholic Bevera the Official Compilation of the Cohaving required the principal to fil NOW, THEREFORE, the condition the date designated in said license permit period, suffer or permit annow or hereafter issued by said St Part 53 of Subtitle B of Title 9 of the State Liquoissuance of an order of warning, a taxed or allowed in any action or Beverage Control Law, or of any cancellation, revocation or suspensor Rules of the Authority, or costs Law; then this obligation shall be conditions:  1. An action for the breach of for the violation of any prissued by the State Liquor Subtitle B of Title 9 of the 36 of the Rules of the Authority.  2. The aggregate liability of the sum of this bond plus cost (\$1,000.00).  3. Upon the payment of any the obligee against the principal of the license of action or proceeding. In determination, the period litigation.  5. This bond shall be effective extension thereof.  6. A breach of any condition suspension of the license of action or proceeding. In determination, the period litigation.  5. This bond shall be effective extension thereof.  6. A breach of any condition suspension of the license of action of proceeding. In the period litigation of the license of action of proceeding. In the period litigation of the license o	e Superintendent of Insur. New York State, as Surety ove and for the payment of 1,000.00) for the payment so, successors, and assigns, rincipal is making applica ge Control Law and the sa ies, Rules and Regulations e with it a bond to the Peol of or permit, is granted to the y violation of the provision ate Liquor Authority, or gi he Official Compilation of r Authority), for the cancel and will pay all fines and r proceeding brought or inst of the rules now or hereaf ston or issuance of an order taxed or allowed in any re e void; otherwise to rems any condition of this bond rovision of said Alcoholic I Authority, or for cause as official Compilation of the ority). The surety on account of any ts taxed or allowed in any loss arising under this bon ncipal to recover from the p he penal sum of this bord repermit period aforementi the event of the institut of 24 months shall not of this bond shall be deem d license or permit or the cellation, suspension or or go to recover on this bond, any defect in the bond, includer any defect in the bond, includer of this bond shall be deem d license or permit or the cellation, suspension or or go to recover on this bond, and the conclusively pre bend of led with the state test of New York withou shall be conclusively pre bend of led with the State test of New York withou shall be conclusively pre bend of led with the State test of New York withou shall be conclusively pre bend of led with the State test of New York withou shall be conclusively pre bend of led with the State test of New York withou shall be conclusively pre bend of led with the State test of New York withou shall be conclusively pre bend of led with the State test of New York withou shall be conclusively pre bend of led with the State test of New York withou shall be conclusively pre bend of led with the State test of New York withou	ance of New York State as, are held and firmly bound if any costs taxed or allowed of which sum or sums, well respectively, jointly and sevtion to the New York State id State Liquor Authority, bof the State of New York (Riple of the State of New York, in that if the said license or perside said principal and the principal and the principal and the principal and the principal and Regulat lation, revocation or suspensionalties which shall accrue ituted for a violation of any ter issued by said State Liquor of warning as provided in twiew pursuant to Section 12 in in full force and effect:  I may be maintained without Beverage Control Law, or of provided by the Alcoholic Electory and all defaults hereunder y action or proceeding to the distance of any action or procedumence until the final defended, or for costs within one iton of any action or procedumence until the final defended of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears a principal and the companion of the expiration year and/bears and years and years and years and years and years	to solvency and responsibility and unto the People of the State of New in any action or proceeding to the and truly to be made, we, the said erally, firmly by these presents.  Liquor Authority, for a license or y Part 81 of Subtitle B of Title 9 of the Rules of the Authority), as provided in said Law aforesaid, ermit applied for, which expires on cipal will not, during the license or Control Law, or of any of the rules Alcoholic Beverage Control Law or ions of the State of New York (Rule ion of said license or permit or the thereunder, together with all costs of the provisions of said Alcoholic uor Authority, or for cause for the he Alcoholic Beverage Control Law 1 of the Alcoholic Beverage Control Subject, however, to the following previous conviction or prosecution any of the rules now or hereafter severage Control Law or Part 53 of ions of the State of New York (Rule shall in no event exceed the penale extent of One Thousand Dollars gated to the rights and remedies of the twenty-four months after the year after final disposition of any setermination of the proceeding or the shall be in effect and during any by the revocation, cancellation or ting by the State Liquor Authority's etermination of the penal sum of the or facsimile signature. Any bond ton application of the State Liquor Authority in erroneous, improper or defective for amount of the penal sum of the or facsimile signature. Any bond ton application of the State Liquor ton thereof by or on behalf of the get conclusively presumed to be the get conclusively presumed to be the signed and sealed this 37TH ST., 4TH FLOOR, NEW 37TH ST.
Name of issuing agency GLOB	AL COVERAGE, INC.	Address YORK	NY 10016-2897 e # (212)683-2622
		_	<del></del>
Starjem LLC dba Fresco /Principal/Applican		WESTERN SI	URETY COMPANY Surgey
		" +1T	-12 //s-
BY: ///		BY: Paul T. Brufla	t, Vice President

Form 1480-A-11-2015

### RENEWAL APPLICATION / INSTRUCTION FORM

PLEASE ALLOW TEN(10) BUSINESS DAYS FOR PROCESSING. BE ADVISED THAT ANY DEFICIENCY IN THE APPLICATION OR FAILURE TO PROVIDE ALL SUPPORTING DOCUMENTATION WILL DELAY THE PROCESSING OF YOUR RENEWAL OR MAY LEAD TO THE DISAPPROVAL OF YOUR RENEWAL.

- Renewal Advisory
- □ Completed Renewal Application form (all pages)
- Submit a check or money order payable to New York State Liquor Authority in the total amount as shown on the Renewal Advisory.
- Original surety bond in the appropriate amount; **SIGNED BY THE LICENSEE**; and with the expiration of the bond being the same as the license expiration date on the Renewal Advisory. The bond must have the premises name and address typed exactly as it appears on your license certificate.

### REQUIRED FOR NEW YORK CITY ON-PREMISES LICENSEES ONLY:

Submit a copy of the Standardized Notice Form for providing a 30-Day Advance Notice to a local Community Board as required by Section 110 (b)(b) of the ABC Law that was sent to the Community Board. This section of the ABC Law requires that all on-premises licensees (whether licensed for beer; beer& wine; or beer, wine & liquor) located within the city of New York notify the Community Board that they are renewing their license.

Also submit proof of how the Standardized 30-day Notice Form to the Community Board was sent which consists of:

- X
- a. A copy of the certified mail receipt or a copy of the certified mail card return receipt requested; or b. A copy of the delivery receipt from a commercially recognized delivery service; or
- c. A copy of the Standardized Notice Form form date-stamped by the Community Board.

### If applicable, submit the following:

☑ Notice of appearance if an attorney or representative assisted in completing this renewal application.

If the Trade Name has changed since the last renewal filing you must also include an Assumed Name Filing Receipt
from the NYS Dept. of State (for a corporation, Inc, LLC, LP or Ltd.) or a Business Certificate from the County Clerk's
office (for sole proprietors) with the renewal application.

The only change that can be made during the Renewal process is the Trade Name (DBA) change. If there have been any changes to the principals of the license, any physical changes to the establishment or changes to the approved method of operation you must file the appropriate change application that can be found on our website at: <a href="www.sla.ny.gov">www.sla.ny.gov</a>. You must receive approval from the Authority before making any such changes.

The completed application and any supporting information, including the **Renewal Advisory**, must be mailed to the address below:

M&T Bank Lockbox
New York State Liquor Authority
PO Box 8000-Dept 930
Buffalo, New York 14267

### ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL

	ensed Prem			n							
-	censed premises cl		•	_							
	your license in safe				O 1		_				
-	you wish for your					•	•				
	any of the above, s remises to re-oper										nned
Licensed	Premises Name:	Starjem LLC					License Serial	#: 102	7037		
Trade Na	ime (if applicable):	Fresco On The (	<b>5</b> 0				,				
Federal E	Employer Identificat	ion Number :									
	thod of Operati ng beer, beer &				st be	answer	ed by all On	-Premis	es licenso	e hold	lers,
Section 1	09 of the ABC Law r	equires a statem	ent to be:	submitted indi	cating	the type	of establishmen	t operate	d at the pre	mises.	
	ld an <b>on-premises</b> l										
Resta	urant OCatering E	stablishment	OClub (i	.e., Fraternal O	rg) C	)Ball Park	/Stadium/Arena	<b>○</b> Cal	oaret OB	ed & Br	eakfast
○Bar/Ta	avern \(\text{Adult Ente}\)	ertainment	○Night (	Club/Dance Clu	ъ С	)Country	Club/ Golf Cour	se OHot	el OSp	orts Ba	ar
If dancing	g is permitted at the	premises, who	is be perm	itted to dance?	0	Patrons (	Employees	O Both	Not A <sub>I</sub>	pplicab	le
If dancing	g is permitted, is the	ere exotic dancin	g (i.e.pole	dancing, lap da	ancing	, etc.) ? (	YES ON	(A) (C)	lot Applicab	ole	
Is there to	opless entertainmer	nt at the premise	es?	YES    NO			_				
associate agreed t Board or Attach a	st any condition(s) ed with your curre to with the local Mu r placed on your lic dditional sheets if	nt license that v unicipality/ Con ense by the Au necessary.	were nmunity thority.	None							
ID. Add	aress of the Lice	ensea Premis	<u>ses</u>						-		
Licensed *Requir	Premises Address: re <u>d</u>	40 East 52nd St	reet								
City:	New York		State:	NY	·		Zip Code:	10022			
County:	New York		Email A *Require	Address: ed		elaina@f	rescobyscotto.c	om		]	
*Required			L	754-2700			e # (include area	-		972-704	
	dress your premise etter from the loca						rovide a copy (	of the 91	1 address n	otifica	tion
<u>Mailing</u>	Address (if diff	erent than pr	<u>remises a</u>	iddress)							
Mailing /	Address:										
City:			State:				Zip Code:				

Page 2 of 6

Signature

Date

### 1c. Landlord/Building Owner Name and Address - also required if building is owned by the licensee 40 East 52nd Street L.P. **Landlord Name:** Address: 345 Park Avenue City: New York NY State: Zip Code: 10154 2. Arrest/Conviction Information Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been ARRESTED and/or CONVICTED during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations? Previously Reported If YES, complete the chart below. Submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If the charge(s) are not complete submit documentation showing your next court appearance. If necessary, attach additional sheets. Connection with Licensed Nature of the arrest Date of Name of the Defendant **Premise** Disposition Offense and/or conviction (licensee, officer) 3. Applicant Information and Certification The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions. A. Sole Proprietor (This section must be completed, signed and dated by the sole proprietor.) Print Name: Date of Birth: Social Security # Residence street address: City: State: Zip Code: Telephone # (include area code): Cell Phone # (include area code):

Title

# B. Partnership (This section must be completed, signed and dated by each partner.) Attach additional sheets if necessary

Print Name:	Date of Birth:	Social Security #:	
Residence street address:			
City:	State: Zip C	ode:	
Telephone # (include area code):	Cell Phon	e # (include area code):	
Partner Signature	Title	Date	
Print Name:	Date of Birth:	Social Security #:	
Residence street address:			
Residence street address:  City:	State: Zip Coo		
L	State: Zip Coo		
City:	State: Zip Coo	de:	

# C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer. This principal should be the primary point of contact.)

Print Name:	Elaina Scotto	Date of Birth:		Social Securit	y #:
Residence str	eet address:				
City:		State:	Zip Code:		
Title:	LLC Member		•		
Telephone #	(include area-code):		Cell Phone # (includ	de area code):	1- (1-
Authorized Si	grature		Pries		1/24/17 Date

C. - Continued - All remaining Principals on the license must be listed below.

(Attach additional sheets as needed to include all principals)

Print Name:	Marion Scotto	Date of Birth:	- principalis)	Social Security #
Residence st	reet address:			
City:		State:	Zip Code:	
Title:	LLC Member			
Telephone #	(include area code):		Cell Phone # (inclu	de area code):
Print Name:	Anthony Scotto, Jr	Date of Birth:		Social Security #:
Residence st	reet address:			
City:		State:	Zip Code:	
Title:	LLC Member			
Telephone #	(include area code):		Cell Phone # (includ	de area code):
Print Name:	Rosanna Scotto	Date of Birth:		Social Security #
Residence st	reet address:			
City:		State:	Zip Code:	
Title:	LLC Member			
Telephone #	(include area code):		Cell Phone # (inclu	de area code):
Print Name:		Date of Birth:		Social Security #:
Posidones st	<u> </u>			
hesiderice st	reet address:			
City:	reet address:	State:	Zip Code:	
	reet address:	State:	Zip Code:	

### **RETAIL-RENEWAL**

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D. Club (This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority.)

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State: Zip	Code:
Title:		
Telephone # (include area cod	de): Cell P	hone # (include area code):
Authorized Signature	Title	Date



	OFFICE USE C	NLY	
Original	Amended	Date	

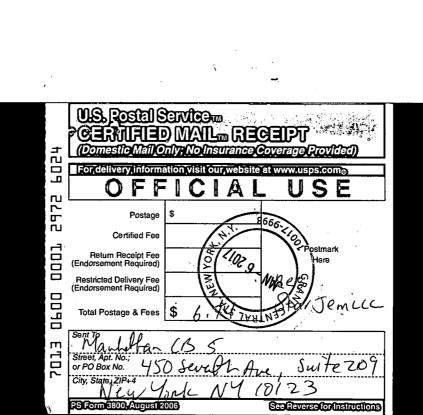
### **STATE OF NEW YORK**

### **NOTICE OF APPEARANCE**

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (i.e., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.

Agency: NYS Liquor A	Authority	Date:	2/7/2017	
Division/Bureau:	Renewals			
1. Name of individ	ual appearing	Ferrari & Ferrari LLP- By Michael Fe	errari	
Address:	630 Third Avenu	e, 18th Floor, New York, NY 10017		
Telephone:	Telephone: (212) 972-7040			
Email:	mf@rvferrari.com	1		
2. Client represent	ed: Starjem LLC	d/b/a Fresco By Scotto On The Go- Se	erial No. 1027037	
Address:	40 East 52nd Stre	eet, New York, NY 10022		
Telephone:	(212) 754-2700			
3. Subject of appear	arance: 🔀	Regulatory/Enforcement	Lobbying	
Filing application fo  4. Acting in capacit		emises liquor license.		
→ Attorney	Ly oi:	┌ Agent		
Other (desc				
5. Are you being	compensated?	Yes No		
If YES, Che	ck FEE or SAL	ARY 🗌 FEE 🔲 SALARY		
6. Signature of in	dividual appe	aring: Michael	Fengi	
7. Agency officia	l (print name)	:		
Signatu	ıre:			

<sup>\*</sup>A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.



### **Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

### Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

### IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

### FERRARI & FERRARI LLP

Attorneys at Law 630 Third Avenue, 18th floor, New York, N.Y. 10017 (212) 972-7040 TELECOPIER (212) 922-1939

ROBERT V. FERRARI rvf@rvferrari.com MICHAEL FERRARI mf@rvferrari.com

January 5, 2017

Manhattan Community Board No. 5 450 Seventh Avenue, Suite 2109 New York, New York 10123

> Re: Starjem LLC

> > d/b/a Fresco On The Go 40 East 52<sup>nd</sup> Street

New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very trợly yours,

Mickola Mannings

Paralegal/Secretary

Enclosure

Via Certified Mail/ Return Receipt Requested

rev 1/22/16	10	FICE USE ONLY nended Date		•			
NEWYORK State							
STATE OF STATE OF POPPORTUNITY. Auth	ority	dized <u>NOTICE F</u> (	<u>DRM</u> for Providing <u>30</u> Local Municin	Day Advanced Notice to a pality or Community Board			
			<u> </u>	(Page 1 of 2)			
1. Date Notice Was Sent:	1/4/2017	1a. Delivered by:	Certified Mail Return Recel				
2. Select the type of Applicat	tion that will be filed with						
New Application 🔀 R	lenewal 🔲 Alteration [	Corporate Change	Removal Class				
For New applicants, answer each question below using all Information known to date.  For Renewal applicants, set forth your approved Method of Operation only.  For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s).  For Corporate Change applicants, attach a list of the current and proposed corporate principals.  For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation.  For Class Change applicants, attach a statement detailing your current license type and your proposed license type.							
This 30-Day Advance Notice				Community Board			
3. Name of Municipality or Co		tan Community Boa	rd No. 5				
Applicant/Licensee Informa	tion						
4. License Serial Number, if A	pplicable: 1027037		Expiration Date, if Appli	cable: Feb 28, 2017			
5. Applicant or Licensee Nam	e: Starjem LLC						
6. Trade Name (if any): Fres	co On The Go						
7. Street Address of Establish	ment: 40 East 52nd Stre	et					
B. City, Town or Village: New	York		,NY Zi	p Code : 10022			
9. Business Telephone Number	er of Applicant/Licensee:	(212) 754-2700					
10. Business Fax Number of A	pplicant/Licensee: (212)	754-1661					
11. Business E-mail of Applica	nt/Licensee: elaina@fre	scobyscotto.com					
12. Type(s) of Alcohol sold or t	to be sold:	Cider 🔲 Wine, l	Beer & Cider 🔀 Liquor,	Wine, Beer & Clder			
13. Extent of Food Service:	ヌ Full food menu; Full Kitchen run by a c	hef or cook Fo	enu meets legal minimum ood prep area at minimum	food availability requirements;			
14. Type of Establishment: Re	staurant						
	Seasonal Establishment Live Music (Give details: Patron Dancing  Em Video/Arcade Games Other (specify):	.e. rock bands, acous	Exotic Dancing To	Music			
16. Licensed Outdoor Area: (Check all that apply)	None Patio or Dec		Garden/Grounds 🔲 Fre	estanding Covered Structure			

rev 1/22/16	O Octobral	OFFICE USE ONL			
	Original	Amended Dat			
	te Liquor	Standardized <u>NO</u>	TICE FORM		30-Day Advanced Notice to a
Aut	hority			Local Mul	nicipality or Community Board (Page 2 of 2)
					11 uge 2 01 2)
17. List the floor(s) of the b	uilding that the es	tablishment is located	on: First Floo	r	
18. List the room number(s building, if appropriate	) the establishmen :	nt Is located in within ti	ne n/a		
19. Is the premises located	withIn 500 feet of	three or more on-prem	ises llauor es	tablishments? (•	Yes \(\int\)No
20. Will the license holder of					
an in this is a transfer applie	_auon (an existing	licensed business is be	ing purchase	d) provide the na	me and serial number of the licensee.
22. Does the applicant or ite	ensee own the bu	uilding in which the est	ablishment Is	located? O Yes	(if Yes SKiP 23-26)   No
	O 641	<b>.</b>			
22 2 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4		Building in Which the	Licensed Esta	ablishment is Lo	cated
23. Building Owner's Full Na	ame: 40 East 52	2nd Street LP.			'
24. Building Owner's Street	Address: 34S P	ark Avenue			
25. City, Town or Village: Ne	w York		State:	NY	Zip Code : 10154
26. Business Telephone Nur	nber of Bullding C	Owner: 2/2 -	407-2	U72	
Re applica	presentative or A tion for a license	lttorney representing to traffic in alcohol at	the Applicar	nt in Connection	with the
27. Representative/Attorney		rrarl & Ferrari LLP- Mich			III tuis notice
-			idei reman		
28. Street Address:	630 Third Avenue,	18th Floor			
29. Clty, Town or Village:	New York		State:	NY	Zip Code : 10017
30. Business Telephone Num	abor of Popracons	21 21 21 21 21 21 21 21 21 21 21 21 21 2	72 7040		
			72-7040		
31. Business Emall Address:	mf@rvferrari.com	<u> </u>			
in this form are in c	onformity with rep nderstand that rep	presentations made in :	submitted do his form will a	cuments relied upor Ilso be relied upor	for the license. Representations oon by the Authority when n, and that false representations nse.
By my signati	ure, I affirm - unde	r Penalty of Perjury - 1	that the repre	sentations made	in this form are true.
32. Printed Name: Elaina Sco	tto		π	tle LLC Member	
Signature: X	14/1	)		<u> </u>	

### FERRARI & FERRARI LLP

Attorneys at Law
630 Third Avenue, 18<sup>th</sup> floor, New York, N.Y. 10017
(212) 972-7040
TELECOPIER (212) 922-1939

ROBERT V. FERRARI rvf@rvferrari.com MICHAEL FERRARI mf@rvferrari.com

February 7, 2017

M&T Bank Lockbox New York State Liquor Authority P.O. Box 8000- Dept. 930 Buffalo, New York 14267

> Re: Starjem Restaurant Corp d/b/a Fresco On The Go 40 East 52<sup>nd</sup> Street

40 East 52<sup>nd</sup> Street New York, NY 10022 Serial No. 1027037

Dear Sir/Madam,

Enclosed please find the completed filing application for the renewal of an on-premise liquor license.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Very truly yours,

Mickola Mannings

Paralegal/Secretary





THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW! TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER THIS LICENSE STATE
PART OF THE BUILDING CONTAINING SUCH LICENSES
MAY BE REVOKED AT ANY TIME PURSUANT TO LAW PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES: 'IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND

METHOD, OF OPERATION

SERIAL #: 1027037 -COUNTY: NEW YORK

RESTAURANT SERVING BEER CIDER WINE AND LIQUOR

STARJEM LLC FRESCO ON THE GO 40 E 52ND STREET NEW YORK NY 10022 FÍLING FEE

871855

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

Certificate No. B0871

RECEIVED FFR 9 1 2010

# NEW YORK STATE LIQUOR AUTHORITY RENEWAL ADVISORY

**10560** 

Serial #: 1027037

Key: 191NEWOP0008460252

Lieense fee:

4,352.00

Filing fee:

90.00

Total fee due:

4,442.00

New effective date:

03/01/2019

New expiration date:

02/28/2021

**Premises Address:** 

STARJEM LLC FRESCO ON THE GO 40 E 52ND STREET NEW YORK, NY 10022

This letter is to notify you that your current license/permit is due to expire on 02/28/2019. The renewal procedures have changed so please review all forms / instructions carefully.

### THIS IS THE ONLY NOTIFICATION YOU WILL RECEIVE.

The renewal application form can be found on the Anthority's website at www.sla.ny.gov/renewals

You must complete the renewal application and return it with this renewal advisory to the address below:

M&T Bank Lockbox New York State Liquor Authority PO Box 8000-Dept 930 Buffalo, New York 14267

NOTE: Renewal applications must be mailed to the address shown above. Applications sent to any other address will be returned and will delay the processing of your renewal.

You must include this renewal advisory, the completed renewal application, appropriate fee and all other required documents.

All on-premises applicants located within the five (5) boroughs of New York City (whether beer; beer & wine; or beer, wine & liquor) are required to notify the local Community Board at least 30 days prior to filing their renewal application with the NYS Liquor Authority (per Section 110(b) of the ABC Law).

THE STANDARDIZED COMMUNITY BOARD/MUNICIPALITY NOTICE AND PROOF OF DELIVERY MUST BE SUBMITTED WITH THIS APPLICATION.

* (			
Bond Form L-9 Prescribed by the New York State Liquor Authority June 3, 1974			ION FOR LICENSE OR PERMIT LIC BEVERAGE CONTROL LAW
Application Number	Bond Number	This bond expires in	Penal Sum of Bond
	<u>.</u>	2021	\$1,000.00 Plus Costs
KNOW ALL MEN BY THESE PI	RESENTS, that we	<u> </u>	
Name of Applicant	·	Address of Place of Business	3
Starjem LLC dba Fresco	On The Go	of 40 East 52nd Stree	t, New York
in the county of New York	, ε	State of NEW YORK	10022, as Principal, and
Name of Insurance Company		Address of Office or usual P	lace of Business
WESTERN SURETY CO	OMPANY	P.O. Box 5 Sioux Falls, SD 5	
extent of One Thousand Dollars (\$ principal and surety, bind ourselve WHEREAS, the above bounden propermit under the Alcoholic Beverathe Official Compilation of the Codhaving required the principal to file NOW, THEREFORE, the conditions the date designated in said license permit period, suffer or permit any now or hereafter issued by said St. Part 53 of Subtitle B of Title 9 of the 36 of the Rules of the State Liquor issuance of an order of warning, at taxed or allowed in any action or Beverage Control Law, or of any cancellation, revocation or suspens or Rules of the Authority, or costs Law; then this obligation shall be conditions:  1. An action for the breach of for the violation of any present the superscript of the superscript of the superscript of the principal of the superscript.	is, successors, and assigns, rincipal is making applications ge Control Law and the sales, Rules and Regulations e with it a bond to the Peops of this obligation are sucled or permit, is granted to the y violation of the provision ate Liquor Authority, or given the Official Compilation of the Authority), for the cancel and will pay all fines and proceeding brought or instead or instead or allowed in any reservoid; otherwise to remain any condition of this bond.	respectively, jointly and seve tion to the New York State id State Liquor Authority, by of the State of New York (Rulple of the State of New York, at that if the said license or pe e said principal and the codes, Rules and Regulatilation, revocation or suspensional ties which shall accrue tituted for a violation of any ter issued by said State Liquip of warning as provided in the principal and the princip	rally, firmly by these presents. Liquor Authority, for a license or Part 81 of Subtitle B of Title 9 of lee 9 of the Rules of the Authority), is provided in said Law aforesaid, rmit applied for, which expires on ipal will not, during the license or control Law, or of any of the rules alcoholic Beverage Control Law or ons of the State of New York (Rule on of said license or permit or the hereunder, together with all costs of the provisions of said Alcoholic tor Authority, or for cause for the lee Alcoholic Beverage Control Law of the Alcoholic Beverage Control
issued by the State Liquor Subtitle B of Title 9 of the 36 of the Rules of the Auth	Authority, or for cause as Official Compilation of th ority).	provided by the Alcoholic Be e Codes, Rules and Regulation	any of the rules now or hereafter everage Control Law or Part 53 of ans of the State of New York (Rule shall in no event exceed the penal
			extent of One Thousand Dollars
		id, the surety shall be subrogorincipal any amount so paid.	ated to the rights and remedies of
expiration of the license or action or proceeding. In	oned, or for costs within one tion of any action or proce	in twenty-four months after the year after final disposition of any eding to review the Authority's termination of the proceeding or	
extension thereof.			shall be in effect and during any
6. A breach of any condition	of this bond shall be deen	ned to have been established	by the revocation, cancellation or

- A breach of any condition of this bond shall be deemed to have been established by the revocation, cancellation or suspension of the aforesaid license or permit or the issuance of an order of warning by the State Liquor Authority unless set the action, cancellation, suspension or order of warning shall have been reversed or annulled by a Court of complete the company named herein as Surety waive any defect or preceding to recover on this bond, the principal and the company named herein as Surety waive any defect in the bond, including, but not limited to, an erroneous, improper or defective in the bond for mission for the first or apparent alteration of the expiration year and/or amount of the penal sum of the behavior further waive and objection that the bond bears a printed, typewritten or facsimile signature. Any bond fill the state Liquor Authority shall be admissible in evidence in any court on application of the State Liquor Authority or People of the State of New York without further proof of due execution thereof by or on behalf of the principal and surety and shall be conclusively presumed to have been duly executed by and on behalf of the principal and surety and some of the State Liquor Authority and bearing the printed or facsimile name of the state of the surety company and binding on it, its successors and assigns for the amount specified in Part 81 of Subtitle 181 Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Rule 9 of the Rules of the State Liquor Authority).

	9 of the	Rules of the	Person Tridinor	Authority	<b>).</b>									
IN	WITNESS	WHEREOF				caused	these	present	s to	be	signed	and	sealed	this
	31	_ day of	January	2(	019			9	E.	37TH	ST.,	4TH	FLOOR,	NEW
	Name of issu	ing agency_	GLOBAL CO	VERAGE	INC	•	Ad	dress						
									Phor	1e#	(212)6	83-2	622	
St	ariem LLO	. dba Fre	SCO On T	he Go	L. S	3. <u>"</u>	<u> TEST</u>	RN	S	URE	TY	<u> </u>	MPAI	<u>1 Y</u>
	J 1	Principal (M	plicant/Licer	isee)			/			Sure	(V)	,,,	,	
		1//					1	/	7	12	/ /	//	_	
BY	: <del></del> -	/ / / /				_ BY:_		D-10	<u> </u>			<u> </u>		L.S.
For	n 1480-A-11-201	15			-			Paul T.	Bruile	at, vice	rigside	ent		
	.,													

### **RETAIL-RENEWAL**

### ALL SECTIONS MUST BE COMPLETED IN ORDER TO APPROVE YOUR RENEWAL

	ensea Pren			n.		*			
	ensed premises c our license in safe		⊙ NO	the VES	, ○ NO	•			
	you wish for your			. •	_	ES ONO			· ·
If yes to a	ny of the above, s	ubmit a statem	ent giving	the reason t	hat the licens	e is in Safekeeping ekeeping for an inde			anned
Licensed	Premises Name:	Starjem LLC				License Serial #:	1027037		
Trade Nat	me (if applicable):	Fresco On The G	io					,	
Federal E	mployer Identificat	ion Number :							* (4) *
	thod of Operat ng beer, beer &				ıst be answ	ered by all On-P	remises li	cense hol	lders,
Section 10	09 of the ABC Law	requires a statem	ent to be s	ubmitted ind	icating the typ	e of establishment o	perated at th	ne premises	5.
If you hole	d an <b>on-premises</b>	license, please se	lect the me	ethod of oper	ation from the	following list:			
<ul><li>Restau</li></ul>	ırant OCatering E	stablishment	○Club (i.	e., Fraternal C	org)     Ball Pa	rk/Stadium/Arena	<b>○</b> Cabaret	○Bed & E	3reakfast
○Bar/Ta	vern \( \rightarrow Adult Ente	ertainment	○Night 0	Club/Dance Cl	ub OCount	ry Club/ Golf Course	⊖Hotel	○Sports I	Bar
If dancing	is permitted at the	e premises, who i	s be permi	tted to dance	? O Patrons	○ Employees ○	) Both 💿	Not Applica	able
lf dancing	is permitted, is the	ere exotic dancin	g (i.e.pole (	dancing, lap d	lancing, etc.) ?	YES NO	Not Ap	plicable	
Is there to	pless entertainme	nt at the premise	s? O	YES   NO	•				
associate agreed to Board or	st any condition(s ed with your curre o with the local M placed on your li dditional sheets if	ent license that v unicipality/ Com cense by the Aut	vere munity	NONE				,	,
<u>1b. Add</u>	dress of the Lic	ensed Premis	<u>es</u>						
Licensed *Require	Premises Address:	40 East 52nd St	reet						
City:	New York		State:	NY		Zip Code:	0022		
County:	New York		Email A *Require		elaina	@frescobyscotto.com	1		
Premises *Required	Telephone # (inclu	ide area code):		754-2700	Contact Ph	one # (include area c	ode):	(212) 972-7	040
If the add						, provide a copy of	the 911 add	ress notific	cation
<u>Mailing</u>	Address (if dif	ferent than pr	emises a	ddress)					
Mailing A	Address:								
City:		y '	State:		· · · · · · · · · · · · · · · · · · ·	Zip Code:			

Signature

Date

### 1c. Landlord/Building Owner Name and Address - also required if building is owned by the licensee Landlord Name: 40 East 52nd Street L.P. Address: 345 Park Avenue NY City: New York State: Zip Code: 10154 2. Arrest/Conviction Information Has the applicant or (if partnership) any of the partners, or (if a corporation) any of the officers, directors, stockholders, or any agent or employee of the applicant, been ARRESTED and/or CONVICTED during this renewal period (including pleas of guilty or suspended sentences) of any felony or of any other crime or offense of any kind except minor traffic violations? If YES, complete the chart below. Submit a Police Report, Certificate of Disposition, Certificate of Conviction or a Certificate of Relief from Disabilities from the Court Clerk for each case. If the charge(s) are not complete submit documentation showing your next court appearance. If necessary, attach additional sheets. Connection with Licensed Date of Nature of the arrest Name of the Defendant Premise Disposition Offense and/or conviction (licensee, officer) 3. Applicant Information and Certification The signature below certifies that I know the contents of this application and the statements contained therein; that the same are true of my own knowledge; and that I am authorized to execute this application and sign this certification. I further certify that I have read the terms and conditions included with this application for the renewal and agree to comply with the conditions. A. Sole Proprietor (This section must be completed, signed and dated by the sole proprietor.) Print Name: Date of Birth: Social Security #: Residence street address: City: State: Zip Code: Telephone # (include area code): Cell Phone # (include area code):

Title

## B. Partnership (This section must be completed, signed and dated by each partner.) Attach additional sheets if necessary

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State: Zip C	Code:
Telephone # (include area code):	Cell Phon	ne # (include area code):
· .		
Partner Signature	Title	Date
Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State: Zip Coo	de:
Telephone # (include area code):	Cell Phon	ne # (include area code):
Partner Signature	Title	Date

## C. Corporation, LLC or LLP (This section must be completed, signed and dated by an authorized officer. This principal should be the primary point of contact.)

Print Name:	Elaina Scotto	Date of Birth:		Social Security #:	
Residence str	eet address:				
City:		State:	Zip Code:		
Title:	LLC Member				
Telephone #	(include area code):		Cell Phone # (inclu	de area code):	
Authorized Si	ignature	Title	pres		19

C. - Continued - All remaining Principals on the license must be listed below. (Attach additional sheets as needed to include all principals) Social Security #: Print Name: Marion Scotto Date of Birth: Residence street address: City: State: Zip Code: Title: LLC Member Telephone # (include area code): Cell Phone # (include area code): Print Name: Social Security #: Anthony Scotto, Jr Date of Birth: Residence street address: City: State: Zip Code: Title: LLC Member Telephone # (include area code): Cell Phone # (include area code): Rosanna Scotto Print Name: Date of Birth: Social Security #: Residence street address: City: State: Zip Code: Title: LLC Member Telephone # (include area code): Cell Phone # (include area code): Social Security #: Print Name: Date of Birth: Residence street address: City: State: Zip Code: Title: Telephone # (include area code): Cell Phone # (include area code):

renapp.rev-063015

### **RETAIL-RENEWAL** 71

D. Club (This section must be completed, signed and dated by the Club Alcoholic Beverage Control (ABC) Officer who has been approved by the State Liquor Authority.)

Print Name:	Date of Birth:	Social Security #:
Residence street address:		
City:	State:	Zip Code:
Title:		
Telephone # (include area code)	: C	ell Phone # (include area code):
Authorized Signature	Title	Date



### **Certified Mail Provides:**

- A mailing receipt A unique identifier for your mailpiece

### A record of delivery kept by the Postal Service for two years

### Important Reminders:

- Certified Mail may ONLY be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is not available for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS<sub>®</sub> postmark on your Certified Mail receipt is
- required. ■ For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the
- endorsement "Restricted Delivery". ■ If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

### IMPORTANT: Save this receipt and present it when making an inquiry. PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047





January 15, 2019

### **VIA Certified Mail:**

Manhattan Community Board No. 5 450 Seventh Avenue, Suite 2109 New York, New York 10123

Re:

Starjem LLC

d/b/a Fresco On The Go 40 East 52<sup>nd</sup> Street

New York, New York 10022

Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority.

This is being sent pursuant to the Alcoholic Beverage Control Law.

Yours very truly,

FARBER SCHNEIDER FERRARI LLP

Mickola Mannings

res	'n	٠.	47	'n	10

di stati (Michael Andres ) agus a maladd dha an ann a na an an an an an	OFFICI	E USE ONLY	
Original	○ Amended	Date	Constitution of the consti

## Standardized <u>NOTICE FORM</u> for Providing <u>30-Day Advance Notice</u> to a Local Municipality or Community <u>Board</u>

**************************************	to a <u>Local Muni</u>	icipality or Comr	nunity Board
1. Date Notice was Sent: 01/15	5/2019	1a. Delivered by:	Certified Mail Return Receipt Requested
2. Select the type of Application th	nat will be filed with the Authori	- ity for an On-Premises Alco	holic Beverage License:
New Application Re	newal O Alteration O Corp	porate Change O Remov	rai C Class Change O Method of Operation Change
For Renewal applicants, an For Alteration applicants, a For Corporate Change appl For Removal applicants, att For Class Change applicants	ttach a complete written descri Icants, attach a list of the curre Iach a statement of your curren s, attach a statement detalling y	iption and diagrams depict nt and proposed corporate nt and proposed addresses your current license type a	ing the proposed alteration(s) principals with the reason(s) for the relocation
This 30-Day Advance Notice Is	s Being Provided to the Cleri	k of the Following Local	Municipality or Community Board:
3. Name of Municipality or Comm	unity Board: Manhattar	n Community Boa	ard No. 5
Applicant/Licensee Information	on:		
4. Licensee Serial Number (if appl	Icable): 1027037	Ехрі	ration Date (If applicable): 02/28/2019
5. Applicant or Licensee Name:	Starjem LLC		
6. Trade Name (If any): Fresc	o On The Go		
7. Street Address of Establishmen	t: 40 East 52nd Stree	ot	
8. City, Town or Village: New	York	, N	γ Zip Code: 10022
9. Business Telephone Number of	Applicant/Licensee: (212) 7	754-2700	
10. Business E-mail of Applicant/L	icensee: elaina@fresco	byscotto.com	
11. Type(s) of alcohol sold or to b	e sold:	r 🔘 Wine, Beer & Clder	O Liquor, Wine, Beer & Cider
12. Extent of Food Service:	• • • • • • • • • • • • • • • • • • • •		
Full food menu; full kitche	en run by a chef or cook O N	Vienu meets legal minimun	n food availability requirements; food prep area at minimum
13. Type of Establishment: Res	taurant (full kitchen an	d full menu required	d)
(check all that apply)	Seasonal Establishment	k bands, acoustic, jazz, etc.	):
(check all that apply)	<del>_</del>		n/Grounds Freestanding Covered Structure
	Sidewalk Cafe 🔀 Other (sp	ecity):	

la-rev03292018	OFFICE USE ONLY Original Amended Date	
6. List the floor(s) of the bu	ilding that the establishment is located on: First Floor	
7. List the room number(s)	the establishment is located in within the building, if appropriate: n/a	
3. Is the premises located v	vithIn 500 feet of three or more on-premises liquor establishments?	<b>⊙</b> Yes <b>○</b> No
9. Will the license holder of	a manager be physically present within the establishment during all hou	rs of operation?
0. If this is a transfer applic	ation (an existing licensed business is being purchased) provide the name	and serial number of the licensee:
·		Covi-1 Number
	Name	Serial Number
1. Does the applicant or lic	ensee own the bullding in which the establishment is located? Yes	(If YES, SKIP 23-26)
	Owner of the Bullding in Which the Licensed Establishn	nent is Located
2. Building Owner's Full Na	me: 40 East 52nd Street L.P.	
23. Building Owner's Street	Address: 345 Park Avenue	
*		
4. City, Town or Village:	New York State: NY	Zip Code: 10154
٠.	TOW TORK	Zip Code: 10154
25. Business Telephone Nur	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen	Connection with the
25. Business Telephone Nur	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen	Connection with the
25. Business Telephone Nur 26. Representative/Attorne	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen	Connection with the
25. Business Telephone Nur 26. Representative/Attorne 27. Representative/Attorne	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen y's Full Name: Michael Ferrari y's Street Address: 261 Madison Avenue, 26th Floor	Connection with the
25. Business Telephone Nur 26. Representative/Attorne 27. Representative/Attorne 28. City, Town or Village:	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen y's Full Name: Michael Ferrari y's Street Address: 261 Madison Avenue, 26th Floor New York State: NY	Connection with the It identified in this Notice
25. Business Telephone Nur 26. Representative/Attorne 27. Representative/Attorne 28. City, Town or Village:	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen y's Full Name: Michael Ferrari y's Street Address: 261 Madison Avenue, 26th Floor New York State: NY	Connection with the It identified in this Notice
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25. Business Telephone Nur 26. Representative/Attorne 27. Representative/Attorne 28. City, Town or Village: [ 29. Business Telephone Nur 30. Business E-mail Address	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen  y's Full Name: Michael Ferrari  y's Street Address: 261 Madison Avenue, 26th Floor  New York State: NY  of Representative/Attorney: (212) 972-7040  applicant or licensee holder or a principal of the legal entity that the state of the state of the legal entity that the state of the stat	Connection with the it identified in this Notice  Zip Code: 10016
25. Business Telephone Nur 26. Representative/Attorne 27. Representative/Attorne 28. City, Town or Village: [ 29. Business Telephone Nur 30. Business E-mail Address I am the	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen  y's Full Name: Michael Ferrari  y's Street Address: 261 Madison Avenue, 26th Floor  New York State: NY  of Representative/Attorney: (212) 972-7040  applicant or ficensee holder or a principal of the legal entity that it tions in this form are in conformity with representations made in	Connection with the it identified in this Notice  Zip Code: 10016  holds or is applying for the license. submitted documents relied upon by
25. Business Telephone Nur  26. Representative/Attorne  27. Representative/Attorne  28. City, Town or Village: [  29. Business Telephone Nur  30. Business E-mail Address  I am the  Representa	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen  y's Full Name: Michael Ferrari  y's Street Address: 261 Madison Avenue, 26th Floor  New York State: NY  of Representative/Attorney: (212) 972-7040  applicant or licensee holder or a principal of the legal entity that the state of the state of the legal entity that the state of the stat	Connection with the it identified in this Notice  Zip Code: 10016  holds or is applying for the Ilcense. submitted documents relied upon by made in this form will also be relied
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25. Business Telephone Nur  26. Representative/Attorne  27. Representative/Attorne  28. City, Town or Village: [  29. Business Telephone Nur  30. Business E-mail Address  I am the Representa the Autho upon, an	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen  y's Full Name: Michael Ferrari  y's Street Address: 261 Madison Avenue, 26th Floor  New York State: NY  of Representative/Attorney: (212) 972-7040  of Representative/Attorney: mferrari@fsfilp.com  applicant or licensee holder or a principal of the legal entity that it tions in this form are in conformity with representations made in rity when granting the license. I understand that representations	Connection with the it identified in this Notice  Zip Code: 10016  holds or is applying for the license. submitted documents relied upon by made in this form will also be relied cation or revocation of the license.
26. Representative/Attorne 27. Representative/Attorne 28. City, Town or Village: [ 29. Business Telephone Nui 30. Business E-mail Address I am the Representa the Autho	Representative or Attorney Representing the Applicant in Capplication for a License to Traffic in Alcohol at the Establishmen  y's Full Name: Michael Ferrari  y's Street Address: 261 Madison Avenue, 26th Floor  New York State: NY  of Representative/Attorney: (212) 972-7040  of Representative/Attorney: mferrari@fsfilp.com  applicant or licensee holder or a principal of the legal entity that it tions in this form are in conformity with representations made in rity when granting the license. I understand that representations d that faise representations may result in disapproval of the applicanture, I affirm - under Penalty of Perjury - that the representations	Connection with the it identified in this Notice  Zip Code: 10016  holds or is applying for the license. submitted documents relied upon by made in this form will also be relied cation or revocation of the license.

**Principal Signature:** 

	OFFICE USE ONLY						
Original	Amended	Date					

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## STATE OF NEW YORK NOTICE OF APPEARANCE

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (e.g., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.

Agency: NYS Liquor Au	thority / Division of Alcoholic Beverage Control Date: 02/12/2019						
Division / Bureau: Rene	wals						
1. Name of individual app	pearing: Michael Ferrari						
Address:	261 Madison Avenue, 26th Floor						
Telephone:	Telephone: (212) 972-7040  E-mail: mferrari@fsfllp.com						
E-mail:							
2. Client represented:	Starjem LLC d/b/a Fresco On the Go						
Address:	Address: 40 East 52nd Street, New York, NY 10022						
Telephone:	(212) 754-2700						
3. Subject of appearance	Regulatory / Enforcement     O Lobbying						
Filing renewal applica	ation for Starjem LLC						
4. Acting in the capacity of Description:	of:   Attorney Chobyist Chapter (describe below)						
5. Are you being compen If YES, Check FEE or							
6. Signature of individual	appearing:						
7. Agency official (printed Signature:	Muhael Ferrari						

<sup>\*</sup>A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.



FARBER SCHNEIDER FERRARI LLP

February 12, 2019

**M&T** Lockbox New York State Liquor Authority P.O Box 8000- Dept. 930 Buffalo, New York 14267

Re:

Starjem LLC d/b/a Fresco on The Go 40 East 52<sup>nd</sup> Street New York, NY 10022

Serial No. 1027039

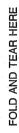
Dear Sir/Madam,

Enclosed is Renewal Application Notice Form from the State Liquor Authority. This is being sent pursuant to the Alcoholic Beverage Control Law.

Yours very truly,

FARBER SCHNEIDER FERRARI LLP

Enclosed





EFFECTIVE DATE: 02/25/2019

EXPIRATION DATE: 2/28/2021

902419 CERTIFICATE #:

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION, UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES: IT SHALL NOT BE DEEMED A PROPERTY OF VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW

METHOD OF OPERATION

RESTAURANT SERVING BEER CIDER WINE AND LIQUOR

STARJEM LLC FRESCO ON THE GO 40 E 52ND STREET 10022 NEW YORK NY

FILING FEE LICENSE FEE

\$90.00 \$4,352.00

Vincent G. Bradley Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

Certificate No. B09024

#	⊈Received ≢ Address	Type.	Premise	Doing Business As	Corp Name	Disposition
88	1/23/2019 21 West 52nd Street	New	OP		Omakasa 31W52 LLC	NC
89	1/23/2019 40 Central Park South 1/6/44 &	Renewal	OP	Sarabeths	SBCPS LLC	NC
90	1/23/2019 1385 Broadway	New	OP	by CHLOE.	BC 1385 Broadway LLC	NC
91	1/23/2019 390 5th Avenue 12 935 17	Renewal	WB	W Café	390 Café Inc	NC.
92	1/23/2019 242 West 56th Street 25237ろ	Renewal	OP	Szechuan Gourmet	Xing Yue Inc	NC
93	1/23/2019 1 West 54th Street 10dd+40	Renewal	OP	The University Club	University Club, The	NC
94	1/23/2019 40 East 52nd Street 1027037	Renewal	ОР	Fresco On The Go	Starjem LLC	NC
95	1/23/2019 138 West 32nd Street (138-142 West 32n	d New	WB	Black Iron Go	TVA Bakery LLC	NC
96		New	OP	Prime Square Restaurant Corp	Bekim Koxha	NC
97	1/24/2019 111 West 50th Street AKA 1271 6th Avenu	Renewal	WB	Le Pain Quotidien (10) 1235035	PQ 6th Ave Inc	NC
98	1/24/2019 340 Madison Avenue 126 57)	Renewal	WB	Le Pain Quotidien	PQ 44th & Madison Inc	NC
99	1/24/2019 135 West 26th Street (1571(001)	Renewal	OP		Chik Associates LLC	NC
00	11/16/2018 156 West 38th Street AKA 515 7th Avenue		ОР	Jimmy's	200 MB Corp	NC with Affidavit
01	1/24/2019 37 West 44th Street (37 41 West 44th Street	Renewal	ОР	New York Yacht Club, The 1022509	New York Yacht Club, The	NC
02	1/25/2019 287 7th Avenue	Renewal	WB	brgr	Sunburger 1 LLL	NC
03	1/25/2019 700 8th Avenue - Booth 2 12843 2	Renewal	WB		ILILI BOX ROW NYC LLC	NC
04	1/25/2019 17 West 32nd Street 102327 6	Renewal	ОР	La Quinta Manhattan	New Generationn Management Corp	NC .
05	1/28/2019 230 Park Avenue Booth #14	New	WB	Black Iron Burger	BIB Vanderbilt Bakery LLC	NC
06	1/28/2019 450 Park Avenue South 1 54049	Renewal	ОР	PS 450	Vig Park Inc.	NC
07	1/28/2019 450 Park Avenue South	Renewal	OP .	PS 450	Vig Park Inc.	NC
80	1/28/2019 43 West 54th Street 1026259	Renewal	OP	John Connolly's	Irish Town Inc.	NC
09	1/28/2019 810 7th Avenue 1284233	Renewal	ОР	Convene	Sentry 810 Seventh LLC	NC
10	1/28/2019 41 East 20th Street /21/0065	Renewal	OP	Mari Vanna	Ginza 2'LLC	NC.
11	1/28/2019 32 East 21st Street 1250(a())	Renewal	OP	Hardings	Gravy New York LLC	NC
12	1/28/2019 225 West 44th Street 1023227	Renewal	OP	Shubert Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
13	1/28/2019 123 West 43rd Street 1/01995	Renewal	ОР	The Town Hall	Theatre Refreshment Co of NY inc & Sunlight	NC
14	1/28/2019 220 West 45th Street (0232233	Renewal	OP	Booth Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
15	1/28/2019 247 West 44th Street 1023230 / /	Renewal	OP	Majestic Theatre		NC
16	1/28/2019 242 West 45th Street (023232)	Renewal	OP	Jacobs Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
17	1/28/2019 252 West 45th Street 1023235	Renewal	OP	Golden Theatre		NC
18	1/28/2019 149 West 45th Street 1023231	Renewal	OP	Lyceum Theatre	Theatre Refreshment Co of NY inc & Sunlight	NC
19	1/30/2019 244 West 56th Street 113628	Renewal	OP	Da Vinci Hotel	Da Vinci Hotel Corp	NC